



# भारत का राजपत्र

## The Gazette of India

प्राधिकार से प्रकाशित

PUBLISHED BY AUTHORITY

No. 30] नई दिल्ली, प्रार्थिवार, दिसम्बर 10, 1966/प्रथम्याण 19, 1888

No. 50] NEW DELHI, SATURDAY, DECEMBER 10, 1966/AGRAHAYANA 19, 1888

इस भाग में भिन्न पाठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके।

Separate paging is given to this Part in order that it may be filed as a separate compilation.

## लोटिक

## NOTICE

नीचे लिखे भारत के असाधारण राजपत्र 29 नवम्बर, 1966 तक प्रकाशित किये गये:—

The undermentioned Gazettes of India Extraordinary were published upto the 29th November, 1966:—

Issue No.	No. and Date	Issued by	Subject
386	S.O. 3524, dated 21st November, 1966	Delimitation Com.-mission	Delimitation of parliamentary and assembly constituencies in the Union Territory of Himachal Pradesh (Order No. 19).
387	S.O. 3598, dated 23rd November, 1966	Ministry of Labour, Employment & Rehabilitation	Arbitration agreement between the management of Messrs Rajawalka Brothers (Private) Limited, Tumsa (Maharashtra) and the Balaghat Zila Khadan Muzdoor Sangh, Warasconi, District Balaghat.
388	S.O. 3599, dated 25th November, 1966	Delimitation Com-mission.	Delimitation of parliamentary and assembly constituencies in the State of Punjab (Order No. 13).
389	S.O. 3600, dated 25th November, 1966	Do.	Delimitation of parliamentary and assembly constituencies in the State of Haryana.
390	S.O. 3601, dated 25th November, 1966	Election Commission India	Amendments in the Delimitation Commission's Order No. 5, dated 2nd June, 1966, relating to the State of Bihar (Order No. 5B).

Issue No.	No. and Date	Issued by	Subject
391	S.O. 3602, dated 25th November, 1966	Ministry of Information and Broadcasting	Approval of the film as specified therein.
392	S.O. 3603, dated 26th, November, 1966	Ministry of Commerce	The Export of Cashew Kernels (Quality Control and Inspection) Second Amendment Rules, 1966.
393	S.O. 3604, dated 26th November, 1966 एम० ओ० 3605 दिनांक 26 नवम्बर 1966	Ministry of Education शिक्षा मंत्रालय	The International copyright (Sixth Amendment) Order, 1966. अन्तर्राष्ट्रीय प्रतिलिप्यधिकार (छठा संशोधन) आदेश, 1966।
394	S.O. 3606, dated 26th November, 1966	Ministry of Commerce.	Further Amendment to the Exports (Control) Order 1962.
395	S.O. 3607, dated 29th November, 1966	Do.	The Cotton Control (Second Amendment) order, 1966.
396	S.O. 3608, dated 29th November, 1966	Do.	Prohibiting the export from India to any foreign country the material defined under regulation 2(d) of the Mill made Cotton Cloth Inspector Regulations, 1966 and under Regulation 2(a) of the Mill made Cotton Yarn Inspection Regulations, 1966.
397	S.O. 3660, dated 29th November, 1966.	Ministry of Food, Agriculture, Community Development and Cooperation.	Corrigendum to S.O. No. 2224, dated 22nd July, 1966.
398	S.O. 3661, dated 29th November, 1966 S.O. 3662, dated 29th November, 1966	Ministry of Commerce. Do.	Appointing the 1st day of December, 1966 as the date on which the Standards of Weights and Measures Act, 1956 shall in relation to all classes of undertakings and all classes of goods, come into force, with certain exceptions mentioned therein, in the whole of India except the districts of Kachin and Mokachung in the State of Nagaland. Permitting, in respect of the area referred to in the above notification (S.O. No. 3661), the continuance of the use, for a period of one Year from the 1st day of December 1966, of any Scale of temperature which was in use immediately before that date in the said area.
399	S.O. 3663, dated 29th November, 1966	Ministry of Food, Agriculture Community Development and Cooperation.	Further amendment to the notification No. S.O. 3737 dated 24th October, 1964 as subsequently amended by notification No. S.O. 3164, dated 20th October, 1966.

ऊपर लिखे असाधारण राजपत्रों की प्रतियां प्रकाशन प्रबन्धक, सिविल लाइन्स, दिल्ली के नाम मांगपत्र भेजने पर भेज दी जाएंगी। मांगपत्र प्रबन्धक के पास इन राजपत्रों के जारी होने की तारीख से 10 दिन के भीतर पहुंच जाने चाहिए।

Copies of the Gazettes Extraordinary mentioned above will be supplied on indent to the Manager of Publications, Civil Lines, Delhi. Indents should be submitted so as to reach the Manager within ten days of the date of issue of these Gazettes.

## भाग II—संख्या 3—उपसंख्या (ii)

## PART II—Section 3—Sub-section (ii)

(रक्षा मंत्रालय को छोड़कर) भारत सरकार के मंत्रालयों और (संघ धन विधानसभा को छोड़कर) केन्द्रीय प्राधिकरणों द्वारा जारी किए गए विधिक ग्राहेश और अधिसूचनाएं।

Statutory orders and notifications issued by the Ministries of the Government of India (other than the Ministry of Defence) and by Central Authorities (other than the Administration of Union Territories).

## ELECTION COMMISSION, INDIA

New Delhi, the 29th November 1966

S.O. 3677.—In exercise of the powers conferred by sub-section (1) of Section 13A of the Representation of the People Act, 1950 (43 of 1950), the Election Commission, in consultation with the Administration, Union Territory of Chandigarh, hereby nominates Shri Damodar Dass as the Chief Electoral Officer for the Chandigarh Union Territory with effect from the date he takes over charge and until further orders.

[No. 154/3/66.]

S.O. 3678.—In exercise of the powers conferred by sub-section (1) of section 13B and sub-section (1) of Section 13C, of the Representation of the People Act, 1950, the Election Commission hereby appoints, in respect of the Parliamentary Constituency of Chandigarh;

- (a) the Assistant Estate Officer, Chandigarh to be the Electoral Registration Officer; and
- (b) the Election Naib Tahsildar, Chandigarh to be the Assistant Electoral Registration Officer.

[No. 429/CH/66.]

S.O. 3679.—In exercise of the powers conferred by section 21 and sub-section (1) of section 22 of the Representation of the People Act, 1951, the Election Commission hereby appoints, in respect of the Parliamentary Constituency of Chandigarh,

- (a) the Deputy Commissioner, Chandigarh, to be the Returning Officer; and
- (b) the Assistant Estate Officer, Chandigarh to be the Assistant Returning Officer.

[No. 434/CH/66.]

New Delhi, the 3rd December 1966

S.O. 3680.—In exercise of the powers conferred by section 21 and sub-section (1) of section 22 of the Representation of the People Act, 1951, the Election Commission hereby appoints, in respect of each of the Parliamentary Constituencies in the State of Haryana, as determined by the Delimitation Commission in its Order, dated the 23rd November, 1966 and specified in column 1 of the Table below:—

- (a) the officers specified in the corresponding entry in column 2 of the said Table to be the Returning Officer; and
- (b) the officers specified in the corresponding entry in column 3 of the said Table to assist the Returning Officer in the performance of his functions:—

## TABLE

Name of the Constituency	Returning Officer	Assistant Returning Officer
1	2	3
1. Ambala . . .	Deputy Commissioner, Ambala	(1) Sub-Divisional Officer, Naraingarh.

1

2

3

---

		(2) Sub-Divisional Officer, Jagadhri. (3) District Development and Panchayat Officer Ambala. (4) Sub-Divisional Officer, Ambala.
2. Karnal . . . . .	Deputy Commissioner, Karnal	(1) Sub-Divisional Officer, Thanesar. (2) Sub-Divisional Officer, Karnal. (3) Settlement Officer (Sales-cum-Assistant Settlement Commissioner, Haryana, Karnal. (4) Sub-Divisional Officer, Panipat.
3. Kaithal . . . . .	Deputy Commissioner, Kaithal	(1) Sub-Divisional Officer, Thanesar. (2) District Development and Panchayat Officer, Karnal. (3) Sub-Divisional Officer, Kaithal. (4) Sub-Divisional Officer, Narwana.
4. Rohtak . . . . .	Deputy Commissioner, Rohtak	(1) Sub-Divisional Officer, Jind. (2) District Development and Panchayat Officer, Jind. (3) Sub-Divisional Officer, Gohana. (4) Sub-Divisional Officer, Rohtak. (5) General Assistant, Rohtak.
5. Jhajjar . . . . .	Deputy Commissioner, Rohtak	(1) Sub-Divisional Officer, Sonepat. (2) District Development and Panchayat Officer, Rohtak. (3) Sub-Divisional Officer, Rohtak. (4) Sub-Divisional Officer, Jhajjar.
6. Gurgaon . . . . .	Deputy Commissioner, Gurgaon	(1) Sub-Divisional Officer, Ballabgarh. (2) Sub-Divisional Officer, Palwal (3) Sub-Divisional Officer, Ferozepur Jhirka. (4) Sub-Divisional Officer, Nuh. (5) Sub-Divisional Officer, Gurgaon.
7. Mahendragarh . . . . .	Deputy Commissioner, Mahendragarh at Narnaul.	(1) Sub-Divisional Officer, Gurgaon. (2) Sub-Divisional Officer, Rewari. (3) District Development and Panchayat Officer, Gurgaon. (4) Sub-Divisional Officer, Narnaul. (5) District Development and Panchayat Officer, Narnaul. (6) Sub-Divisional Officer, Mahendragarh.
8. Hissar . . . . .	Deputy Commissioner, Hissar	(1) Sub-Divisional Officer, Mahendragarh. (2) Sub-Divisional Officer, Bhiwani.

---

1

2

3

9. Sirsa . . . . . Deputy Commissioner, Hissar

- (3) Sub-Divisional Officer, Hissar.
- (4) Sub-Divisional Officer, Hissar.
- (5) General Assistant, Hissar.
- (1) Sub-Divisional Officer, Hissar.
- (2) Sub-Divisional Officer, Fatchabad.
- (3) Sub-Divisional Officer, Sirsa.
- (4) Revenue Assistant (Agrarian Reforms), Hissar.

[No. 434/TN/66.]

BY ORDER,

PRAKASH NARAIN, Secy.

## MINISTRY OF LAW

(Department of Company Affairs)

New Delhi, the 3rd December 1966

**S.O. 3681.**—In exercise of the powers conferred by sub-rule (1) of rule 5A of the Companies (Central Government's) General Rules and Forms, 1956, the Central Government hereby appoints the Superintendents, Office of the Registrar of Companies in Madars as prescribed authority for purposes of clause (a) of sub-section (1A) of Section 108 of the Companies Act, 1956 (1 of 1956).

[No. F.12/19/64-PR.]

F. N. SANYAL, Under Secy.

## MINISTRY OF HOME AFFAIRS

New Delhi, the 24th November 1966

**S.O. 3682.**—In exercise of the powers conferred under entry 3(c) of Schedule I of GSR 991—Ministry of Home Affairs Notification No. 15/13/59(V)-P. IV, dated the 13th July, 1962—and in partial modification of this Ministry's notification No. 16/20/63-P. IV, dated the 8th November 1963—S.O. 3164 published in the Gazette of India—Part II, Section 3—Sub-section (ii), dated the 16th November, 1963—the Central Government is pleased to specify that the exemption notified in the notification dated the 8th November 1963 shall be valid in respect of one shot gun, one rifle and one pistol/revolver each.

[No. 16/15/66-P. IV.]

G. L. BAILUR, Under Secy.

## गृह मंत्रालय

नई दिल्ली, 24 नवम्बर 1966

**एस० ओ० 3683.**—सामान्य परिनियत नियम 991 को अनुसूची I की प्रविष्टि 3(ग) गृह मंत्रालय की अधिसूचना संख्या 15/13/59 (V) पी०-4, दिनांक 13 जुलाई 1962 द्वारा प्रदत्त अधिकारों का प्रयोग करते हुए तथा इस मंत्रालय की 8 नवम्बर 1963 की अधिसूचना संख्या 16/20/63 पी०-4, [नवम्बर 16, 1963 के भारतीय राजपत्र के भाग II, खण्ड 3 उपखंड (ii) में प्रकाशित परिनियत श्रादेश 3164] का आंशिक संशोधन करते हुए केन्द्रीय सरकार सहेज अधिसूचित करती है कि 8 नवम्बर 1963 की अधिसूचना में अधिसूचित छूट एक छरे वाली बन्दूक (शाट गन), एक राइफल तथा एक पिस्तौल/रिवाल्वर के बारे में लागू होगी।

[स० 16/15/66 पी०-4]

जी० एल० बैलूर अवर सचिव ।

New Delhi, the 29th November 1966

**S.O. 3684.**—In exercise of the powers conferred by the proviso to article 309 of the Constitution, the President hereby makes the following rules further to amend the Manipur Employees (Revision of Pay) Rules, 1966.

1. These rules may be called the Manipur Employees (Revision of Pay) 1st Amendment Rules, 1966.

2. In Schedule to the Manipur Employees (Revision of Pay) Rules, 1966:—

(i) Under the heading "District Treasury", (a) after item 6, the following entries shall be inserted under columns 1, 2, 3 and 4 respectively:—

"7. Assistant Accountant Rs. 55—3—100—5—120. Rs. 125—4—145—EB—4—165—EB  
—5—200.

8. Potdar . . . . . Rs. 55—1—65—EB—2½—80. Rs. 90—2—98—3—140.

(b) In column 5, against entry No. 1, Rs. 30/- instead of Rs. 50/- shall be inserted.

(c) In column 5, against entry No. 2, the following shall be inserted:—

"Starting salary of Rs. 350/- p.m."

(ii) Under the heading "Survey and Settlement" (a) after item 12 the following entries shall be inserted under columns 1, 2, 3 and 4 respectively:—

"13. Sub-Surveyor . . . . . Rs. 55—3—100—3—118—4—130. Rs. 125—4—145—EB—4—165—EB  
—5—200.

14. Computer . . . . . Rs. 125—3—140—4—200. Rs. 140—6—170—EB—7—205—EB  
—275 (with two advance increments for graduates).

(b) In column 4 against entry No. 11, the scale of Rs. 110—3—115—EB—3—130—EB—3—142—4—150 shall be replaced by the scale of pay of Rs. 100—3—115—EB—3—130—EB—3—142—4—150.

(iii) Under the heading "Revenue Department" (a) Distt. Administration the scale of Rs. 125—4—145—EB—4—165—EB—5—200 in column 4 against item No. 12, shall be replaced by the scale of Rs. 110—3—125—EB—3—140—EB—3—149—4—165.

(iv) Under the heading "Govt. Press", for entries against items 5 and 6, the following shall be inserted under columns 1, 2, 3 and 4 respectively:—

"5. Head Compositor Rs. 75—4—95—EB—5—120. Rs. 140—4—160—EB—4—180—EB  
—5—225.

"6. Junior Head Compositor. Rs. 60—2—80—EB—2½—100. Rs. 125—4—145—EB—4—165  
—EB—5—200.

(v) The following entries under a new heading "Legislative Department" shall be inserted:—

1. Sound Operator . . . . . Rs. 175—10—225—EB—10— Rs. 175—10—225—EB—10—  
275—EB—12—50—400.

(vi) In column 4, against entry No. 10, under the heading "Election Deptt", the scale of pay of Rs. 100—3—125—EB—3—140—EB—3—140—4—165 shall be replaced by the scale of pay of Rs. 110—3—125—EB—3—140—EB—3—149—4—165.

(vii) Under the heading "Forest Department", after item 14 the following entries shall be inserted under columns 1, 2, 3 and 4 respectively:—

"15. Working Plan Officer Rs. 175—15—250—EB—15—340 Rs. 250—20—350—EB—20—450  
—EB—15—430—20—450. —EB—25—650.

16. Asstt. Forest Officer Rs. 175—15—250—EB—15—340 Rs. 250—20—350—EB—20—450  
—EB—15—430—20—450. —EB—25—650.

(viii) Under the heading "Weights and Measures Deptt.", after item 6, the following entries shall be inserted under columns 1, 2, 3 and 4 respectively:—

"7. Controller of Weights Rs. 350—350—380—30—590— Rs. 300—25—450—EB—30—600  
and Measures . . . . . EB—30—770—40—850. —EB—30—900.

(ix) Under the heading "Fisheries Department", after item 5, the following entries shall be inserted under columns 1, 2, 3 and 4 respectively:—

"6. Farm Manager . . . . . Rs. 100—5—150. Rs. 150—7—50—180—EB—7—50  
—210—EB—9—300.

7. Fishery Farm Assistant Rs. 40—2—60—EB—3—75. Rs. 85—1—90—2—100—2—50—  
105—3—135.

(x) Under the Heading "Statistics Department" after item 8, the following entries shall be inserted under columns 1, 2, 3 and 4 respectively:—

"9. Computer . . . . . Rs. 75—6—105—EB—7—140— Rs. 140—6—170—EB—7—205  
—EB—7—175. (with two advance increments for graduates).

(xi) Under the heading "Jail Department" after item 7, the following entries shall be inserted under columns 1, 2, 3 and 4 respectively:—

"8. Instructor . . . Rs. 55—1—65—EB—2 1/2—80. Rs. 100—3—115—EB—3—130  
—EB—3—142—4—150.

(xii) Under the heading "Agriculture Department" after item 17, the following entries shall be inserted under columns 1, 2, 3 and 4 respectively:—

"17. Director of Agriculture . . . Rs. 600—40—1000. Rs. 750—50—950—EB—50—  
1200. 4

18. Superintendent Basic Agricultural School . . . Rs. 175—15—265—EB—15—  
340—EB—20—500. Rs. 250—20—350—EB—20—  
450—EB—25—700.

(xiii) Under the heading "Manipur State Transport", after item 22, the following entries shall be inserted under columns 1, 2, 3 and 4 respectively:—

"23. Accountant . . . (i) Rs. 100 (Prob.)—130—10— Rs. 225—7—260—EB—7—  
250—EB—15—355. 302—8—350.  
(ii) Rs. 100—5—180. Rs. 150—7—50—180—EB—  
7—50—210—EB—9—300.

24. Store Keeper . . . Rs. 125—6—215—7—275. Rs. 225—7—260—EB—7—302  
—8—350.

25. Tyre Asstt. . . . Rs. 125—6—215—7—275. Rs. 150—7—50—180—7—50—  
210—EB—9—300.

26. Security Inspector . . . Rs. 100—5—180. Rs. 150—7—50—180—7—50—  
210—EB—9—300.

27. Asstt. Engineer . . . Rs. 225—20—425—EB—25—  
600. Rs. 350—30—500—EB—30—  
680—EB—35—925.

(xiv) Under the heading "Industrial Training Institute" after item 8, the following entries shall be inserted under columns 1, 2, 3 and 4 respectively:—

"9. Accountant . . . Rs. 150—7 1/2—210—EB—10— Rs. 225—7—260—EB—7—302  
250. —8—350.

10. Hostel Superintendent . . . Rs. 125—7 1/2—155—9—245—  
aum-Physical Instruc- EB—10—275. Rs. 140—6—170—EB—7—205  
tor —HB—7—275.

(xv) Under the heading "State Trading Department", after item 5, the following entries shall be inserted under columns 1, 2, 3 and 4 respectively:—

"6. Technical Asstt . . . Rs. 160—10—300. Rs. 200—12—50—250—EB—  
12—50—275—15—350—EB—  
15—500.

7. Quality Inspector . . . Rs. 150—7 1/2—450. Rs. 175—10—225—EB—10—  
275—EB—12—50—400.

(xvi) Under the heading "Industries Department" after item No. 47, the following entries shall be inserted under columns 1, 2, 3 and 4 respectively:—

"48. Marking Officer . . . Rs. 100—7—160—EB—9—205. Rs. 175—10—225—EB—275—  
EB—12—50—350.

49. Marketing Asstt . . . Rs. 100—5—180. Rs. 150—7—50—180—EB—7—50  
—210—EB—9—300.

50. Asstt. Inspector . . . Rs. 60—2—80—EB—2 1/2—100. Rs. 110—3—125—EB—3—140  
—EB—3—149—4—165.

51. Carpenter . . . Rs. 60—2—80—EB—2 1/2—100. Rs. 110—3—125—EB—3—140  
—EB—3—149—4—165.

52. Superintendent Arts & Crafts . . . Rs. 175—15—250—20—350. Rs. 225—15—285—EB—15—  
360—EB—20—600.

(xvii) Under the heading "Judicial Department" after item 7, the following entries shall be inserted under column 1, 2, 3 and 4 respectively:—

"8. Assistant Govt. Advo- Rs. 250—25—300—30—450. Rs. 300—20—400—EB—25—  
cate 550—EB—25—800.

(xviii) Under the heading "Community Development Department", for the existing entries against item 3 the following shall be inserted:—

3. District Information and Rs. 175—15—265—EB—15—  
and Field Publicity Officer 340—EB—20—500. Rs. 225—15—285—EB—15—  
360—EB—20—600.

(xix) Under the heading "Animal Husbandry and Veterinary Department" for the existing entries against item 2, the following shall be inserted:—

2. Field Asstt. Stockman, Rs. 60—2—80—EB—2 1/2—100. Rs. 125—4—145—EB—4—165  
Vaccinator, Milk Recor- EB—5—200.  
der.

(xx) Under the heading "Animal Husbandry and Veterinary Department" after item 13, the following entries shall be inserted under columns 1, 2, 3 and 4 respectively:—

14. Animal Husbandry Officer.	Rs. 250—20—650—25—750.	Rs. 350—30—500—EB—30—680—EB—35—925.
15. Principal Officer, Animal Husbandry and Veterinary.	Rs. 250—20—650—25—750.	Rs. 350—30—500—EB—30—680—EB—35—925.
16. Touring Assistant .	Rs. 75—5—100.	Rs. 125—4—145—EB—4—165—EB—5—200.

(xxi) Under the heading "Medical Department" after item 29, the following entries shall be inserted under columns 1, 2, 3 and 4 respectively:—

30. B. C. G. Technician	Rs. 100—7 1/2—145—EB—7 1/2—175.	Rs. 140—6—170—EB—7—205—EB—7—275.
31. X-Ray Technician .	Rs. 100—7 1/2—145—EB—7 1/2—175.	Rs. 140—6—170—EB—7—205—EB—7—275.
32. Radiographer .	Rs. 100—7 1/2—145—EB—7 1/2—175.	Rs. 140—6—170—EB—7—205—EB—7—275.
33. Refractionist .	Rs. 100—7 1/2—145—EB—7 1/2—175.	Rs. 140—6—170—EB—7—205—EB—7—275.
34. Microscopist .	Rs. 60—2—80—EB—2 1/2—100.	Rs. 125—4—145—EB—4—165—EB—5—200.
35. Sanitary Inspector .	Rs. 60—2—80—EB—2 1/2—100.	Rs. 110—3—125—EB—3—140—EB—3—149—4—165.
36. Non-Medical Assistant (Leprosy)	Rs. 60—2—80—EB—2 1/2—100.	Rs. 140—6—170—EB—7—205—EB—7—275.
37. Health Educator	Rs. 150—10—220—EB—10—300—EB—10—350.	Rs. 200—12—50—250—EB—12—50—275—15—350—EB—15—500.

(xxii) Under the heading "Public Works Department" after item 27, the following entries shall be inserted under columns 1, 2, 3 and 4 respectively:—

28. Power House Superintendent	Rs. 125—7 1/2—155—EB—9—245—EB—10—275—plus spl. pay of Rs. 25/- p.m.	Rs. 200—12—50—250—EB—12—50—275—15—350—EB—15—500 plus special pay of Rs. 25/- p.m.
29. Computer .	Rs. 200—15—275—EB—20—375.	Rs. 200—12—50—250—EB—12—50—275—15—350—EB—15—500.
30. Estimator .	Rs. 120—120—130—con. 5—145—EB—10—245—10—275.	Rs. 175—10—225—EB—10—275—EB—12—50—400.
31. Diesel Mechanic .	Rs. 125—7 1/2—155—9—245—EB—10—275.	Rs. 175—10—225—EB—10—275—EB—12—50—400.
32. Assistant Accountant	Rs. 100—100—110—con. 6—140—EB—7—175.	Rs. 140—6—170—EB—7—205—EB—7—275.
33. Truck Driver .	Rs. 75—3—105—EB—4—125.	Rs. 125—4—145—EB—4—165—EB—5—200.
34. Driver Mechanic .	Rs. 40—2—80.	Rs. 100—3—115—EB—3—130—EB—3—142—4—150.
35. Head Wireman (Electricity Division)	Rs. 50—2—78—EB—3—90.	Rs. 100—3—115—EB—3—130—EB—3—142—4—150.
36. Fitter .	Rs. 35—1—51—2—55.	Rs. 80—1—90—2—100—2—50—115—3—130.
37. Godown Helper .	Rs. 28—1—34—1—40.	Rs. 80—1—90—2—100—2—50—115—3—130.
38. Unqualified Overseer	Rs. 100—6—160—EB—8—200.	Rs. 150—7—50—180—EB—7—50—210—EB—9—300.
39. Assistant Operator	Rs. 35—1—51—2—55	Rs. 80—1—90—2—100—2—50—115—3—130.
40. Workcharged Surveyor	Rs. 90—5—115—EB—5—150.	Rs. 140—6—170—EB—7—250—EB—7—275.

(xxiii) Under the heading "Community Development Department", after item 18, the following entries shall be inserted under columns 1, 2, 3 and 4 respectively:—

		Rs.	Rs.
29. Extension Officer (Animal Husbandry & Veterinary)	150—150—con—200—10— 250		(i) Rs. 300—20—400—EB— 25—550—EB—25—800. (For Animal Husbandry Graduates. (ii) 200—12·50—2 — 12·50—275—15— 0—3— 15—500 (For I.D. Diploma holders after two years). (iii) 150—7·50—180—EB—7·50— 210—EB—9—300 (For direct recruits an non- graduates)
20. Extension Officer (Agriculture)	150—150—con—200—10—250	(i) 250—20—350—EB—20—450— EB—25—700 (for gradu- ates) (ii) 150—7·50—180—EB—7·50— 210—EB—9—300 (for others)	
21. Extension Officer (Industry)	150—150—con—200—10—250	(i) 200—12·50—250—EB—12·50— 275—15—350—EB—15—500 (For Graduates) (ii) 150—7·50—180—EB— 7·50—210—E.B.—9—300 (For others).	
22. Extension Officer (Cooperation)	150—150—con—210—10—250	(i) 200—12·50—250—EB— 12·50—275—15—350— EB—15—500 (For gradu- ates.) (ii) 150—7·50—180—E.B.—7·50— 210—EB—9—300—(For others)	
23. Extension Officer (Panchayats)	150—150—con—210—10—250	(i) 175—10—225—EB—10—275— EB—12·50—400 (For gradu- ates) (ii) 150—7·50—180—EB—7·50— 210—EB—9—300 For others)	
24. Cinema Operator	80—5—90—EB—5—100—EB— 5—120	125—4—145—EB—4—165— EB—5—200	
25. Asstt. Cinema Operator	50—3—80	100—3—115—EB—3—130— EB—3—142—4—150	
26. Radio Mechanic	80—5—90—EB—5—100—EB— 5—120	100—3—115—EB—3—130— EB—3—142—4—150	
27. Cameraman	90—5—115—5—150	125—4—145—EB—4—165— EB—5—200	

(xxiv) Under the heading "Secretariat" after item 14, the following entries shall be inserted under columns 1, 2, 3 and 4 respectively:—

15 Sound Operator	175—10—225—EB—10—275	175—10—225—EB—10—275— EB—12·50—400
16 Librarian . . .	100—10—130—EB—6—190— EB—10—250	200—12·50—250—EB—12·50— 275—15—350—EB—15—500

(xxv) Under the heading "Secretariat", the scale of Rs. 85—1—90—2—100—2·50—  
115—3—130 in column 4 against item No. 12 shall be replaced by the scale of Rs. 85—1—  
90—2—100—2·50—105—3—135.

(xxvi) Under the heading "Education Deptt" after item 28, the following entries shall be inserted under column 1, 2, 3 and 4 respectively:—

29. Principal of Govt. Colleges.	600—40—1,000	750—50—950—E.B—50—1,200
30. Principal Woman Col- leges.	600—40—1,000	750—50—950—EB—50—1,200
31. Deputy Director	400—25—500—30—800	550—40—830—EB—45—1,100
32. Special Officer, Planning and Statistics	200—20—300—25—400—EB— 25—500	350—30—500—EB—30—680— EB—35—925 (with a mini- mum start at Rs. 450— p.m.)
33 Curator . . .	250—25—400—EB—25—450— 30—600—EB—30—750	550—40—830—EB—45—1100

	Rs.	Rs.
34. Technical Asstt. (Educational and Vocational Guidance)	125-7.50-155-9-245-EB- 10-275	225-15-285-EB-15 360-EB-20-600
35. Field Asstt. Physical Instructor	75-3-105-EB-4-125	140-6-170-EB-7-205 EB-7-275
36. Demonstrator in Desi Kasrat	60-4-80-EB-4-100-EB- 5-125	110-3-125-EB-3-140- EB-3-149-4-165
37. Cinema Operator	80-5-90-Con-5-100-EB- 5-120	110-3-125-EB-3-140- EB-3-149-4-165
38. Librarian Central Library	100-10-130-EB-6-190- EB-10-250	225-15-285-EB-15-360- EB-20-600
39. Assistant Inspector of Schools.	75-3-105-EB-4-125	140-4-160-EB-4-180- EB-5-225
40. Daftary . . .	35-1-45	85-1-90-2-100-2-50- 105-3-135
41. Superintendent of Basic Training Institute	175-15-250-EB-20-350	225-15-285-EB-15-360- 20-600
42. Physical Instructor of Basic Training Institute	75-3-105-EB-4-125	140-6-170-EB-7-205- EB-7-275
43. Hindi Teacher/Instructor of Basic Training College and Basic Training Institute	75-2-95-250-100 75-3-105-4-125	125-4-145-EB-4-165- EB-5-200
44. Demonstrator for Crafts	50-3-80-4-100	110-3-125-EB-3-140- EB-3-149-4-165
45. Music Teacher	50/ Fixed	100-3-115-EB-3-130- EB-3-142-4-150
46. Carpentry Instructor in Johnstone Higher Secondary School	30-1-35-EB-1-40	80-1-90-2-100-2-50- 115-3-130
47. Science Demonstrator in High/Higher Secondary Schools.	100-10-130-EB-6-190- EB-10-250	175-10-225-EB-10-275- EB-12-50-400
48. Weaving Instructor/ Music Instructor Carpentry Instructor or Demonstrator in High/ Higher Secondary Schools	100-10-130-EB-6-190- EB-10-250	175-10-225-EB-10-275- EB-12-50-400
49. Hindi Teacher in High/Higher Secondary Schools.	100-10-130-EB-6-190- EB-10-250	175-10-225-EB-10-275- EB-12-50-400
50. Assistant Headmaster of High/Higher Secondary Schools	125-7.50-155-9-245-EB- 10-275 100-6-130-EB-6-190- EB-10-250 Plus special pay of Rs. 50/- p.m.	200-12.50-250-EB-12.50- 275-15-350-EB-15-500
51. Headmaster of Junior High Schools.	100-10-130-EB-6-190- EB-10-250 125-7.5-155-9-245-EB- 10-275 plus special pay of Rs. 20/- p. m. in the case of practising School attached to B. T. College.	200-12.50-250-EB-12.50- 275-15-350-EB-15-500
52. Headmaster of M.E. School.	..	200-12.50-250-EB-12.50- 275-15-350-EB-15-500
53. Headmaster of (Up- graded) J.B. (Class I- V) Schools.	..	200-12.50-250-EB-12.50- 275-15-350-EB-15-500

	Rs.	Rs.
54. Under Matric (Un-trained).	40—1—50—EB—2½—65.	85—1—90—2—100—2·50— 105—3—135.
55. Under Matric (Trained Matriculate untrained of M.E., U.P./High/Junior High Schools.	60—4—80—EB—4—100—EB— 5—115.	125—4—145—EB—4—165— EB—5—200.
56. School Mother in Primary/J.B. Schools.	Rs. 30 fixed.	Rs. 80/- fixed.
57. Under Graduate teacher of High/Higer Secondary Montessori Schools.	75—3—105—EB—4—125.	140—6—170—EB—7—205— EB—7—275.
58. Head Master/Mistress Montessori Schools.	100—10—130—EB—6—190— EB—10—250.	175—10—225—EB—10—275— EB—12·50—400.
59. Laskar/Grade IV of Montessori Schools/ Laboratory Attendants.	25—1—40.	80—1—90—2—100—2·50— 115—3—130.
60. Lecturers (Class III Master Degree) in High- Master Schools.	175—15—250—EB—15—240— EB—15—430—20—450. (To start at Rs. 220/- p.m.)	250—20—350—EB—20—450— EB—25—700. (To start at Rs. 310/- p.m.)
61. Superintendent of Hindi Training Institute.	125—7½—155—9—245—EB— 10—275.	200—12·50—250—EB—12·50— 275—15—350—EB—15—500.
62. Instructor, Hindi Training Institute.	75—2½—100—EB—4—120.	140—6—170—EB—7—205— EB—7—275.
63. Artist (Directorate of Education).	75—2½—100—EB—4—120.	140—6—170—EB—7—205—7— 275.

[No. 1/16/65-HMT.]  
V. P. MALHOTRA, Dy. Secy.

New Delhi, the 30th November 1966

S.O. 3685.—In exercise of the powers conferred by clause (2) of article 77 of the Constitution, the President hereby makes the following rules further to amend the Authentication (Orders and other Instruments) Rules, 1958, namely:—

1. (1) These rules may be called the Authentication (Orders and other Instruments) Fourteenth Amendment Rules, 1966.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. In rule 2 of the Authentication (Orders and other Instruments) Rules, 1958—

(1) for clause (o), the following clause shall be substituted namely:—

“(o) in the case of demand notices under clause 9 of the General Conditions of Contract as contained in form Con. 117 or under clauses 2(d) and (8) of the conditions of Auction Sales prescribed under Schedule III of the Auctioneering Contract requesting purchasers to pay to the Government any sum of money recoverable from or payable by purchasers on account of either loss on resale or for any other reason under a contract of sale entered into by the Directorate General of Supplies and Disposals, by a Director or a Deputy Director of Supplies and/or Disposals and in the case of demand notices for recovery or payment in terms of Arbitration Awards arising out of contracts, and Supply Orders placed by the Directorate General of Supplies and Disposals for purchase and supply of stores and also in terms of Court decrees arising out of such contracts and Supply orders or otherwise, by a Director or Deputy Director or Assistant Director of Supplies; or”

(ii) after clause (ah), the following clause shall be inserted, namely:—

(ai) “in the case of orders and other instruments relating to the Directorate General of Supplies and Disposals, by the Director (Admn.) in that Directorate.”

[No. 3/10/66-Pub. I.]

FATEH SINGH, Jt. Secy.

**MINISTRY OF FINANCE**

**(Department of Economic Affairs)**

*New Delhi, the 21st November 1966*

**S.O. 3686.**—Whereas the Central Government is satisfied that nothing further remains to be done in order to wind up the affairs of the Bank of Dewas Limited;

Now, therefore, in exercise of the powers conferred by sub-section (11) of section 38 of the State Bank of India (Subsidiary Banks) Act, 1959 (38 of 1959), the Central Government hereby directs that, on and from the 1st Day of January, 1967, the said Bank of Dewas Limited shall stand dissolved.

[No. F. 4/10/66-SB.]

*New Delhi, the 29th November 1966*

**S.O. 3687.**—In pursuance of clause (d) of sub-section (1) of section 19 of the State Bank of India Act, 1955 (23 of 1955), the Central Government, in consultation with the Reserve Bank of India, hereby nominates Shri K. K. Birla, 15, India Exchange Place, Calcutta, as a director of the Central Board of the State Bank of India with effect from the 1st December, 1966.

[No. F. 8/83/66-SB.]

New Delhi, the 1st December 1966

S.O. 3688.—Statement of the Affairs of the Reserve Bank of India, as on the 25th November 1966

BANKING DEPARTMENT

LIABILITIES	RS.	ASSETS	RS.
Capital Paid Up . . . . .	5,00,00,000	Notes . . . . .	31,99,83,000
		Rupee Coin . . . . .	2,94,000
Reserve Fund . . . . .	80,00,00,000	Small Coin . . . . .	3,87,000
Bills Purchased and Discounted:—			
National Agricultural Credit (Long Term Operations) Fund . . . . .	115,00,00,000	(a) Internal . . . . .	..
		(b) External . . . . .	..
		(c) Government Treasury Bills . . . . .	223,40,85,000
National Agricultural Credit (Stabilisation) Fund . . . . .	16,00,00,000	Balances Held Abroad* . . . . .	21,01,74,000
		Investments** . . . . .	212,71,22,000
National Industrial Credit (Long Term Operations) Fund . . . . .	20,00,00,000	Loans and Advances to:—	
		(i) Central Government . . . . .	..
		(ii) State Governments@ . . . . .	78,00,47,000

LIABILITIES	Rs.	ASSETS	Rs.
Deposits:—		Loans and Advances to:—	
(a) Government		(i) Scheduled Commercial Banks† . . . . .	2,37,80,000
(i) Central Government . . . . .	79,62,20,000	(ii) State Co-operative Banks†† . . . . .	166,77,29,000
(ii) State Governments . . . . .	16,20,15,000	(iii) Others . . . . .	2,39,26,000
(b) Banks—		Loans, Advances and Investments from National Agricultural Credit (Long Term Operations) Fund	
(i) Scheduled Commercial Banks . . . . .	121,97,40,000	(a) Loans and Advances to:—	
(ii) Scheduled State Co-operative Banks . . . . .	434,15,000	(i) State Governments . . . . .	29,25,04,000
(iii) Non-Scheduled State Co-operative Banks . . . . .	58,11,000	(ii) State Co-operative Banks . . . . .	13,50,61,000
(iv) Other Banks . . . . .	10,58,000	(iii) Central Land Mortgage Banks . . . . .	
(c) Others . . . . .	266,55,28,000	(b) Investment in Central Land Mortgage Bank Debentures . . . . .	6,61,22,000
Bills Payable . . . . .	37,55,64,000	Loans & Advances from National Agricultural Credit (Stabilisation) Fund	
Other Liabilities . . . . .	65,05,48,000	Loans and Advances to State Co-operative Banks . . . . .	4,07,35,000
		Loans, Advances and Investments from National Industrial Credit (Long Term Operations) Fund	
		(a) Loans and Advances to the Development Bank . . . . .	4,25,73,000
		(b) Investment in bonds/debentures issued by the Development Bank . . . . .	
		Other Assets . . . . .	31,46,77,000
Rupees . . . . .	827,91,99,000	Rupees . . . . .	827,91,99,000

\* includes Cash and Short-term Securities.

† Excluding Investments from the National Agricultural Credit (Long Term Operations) Fund and the National Industrial Credit (Long Term Operations) Fund.

‡ Excluding Loans and Advances from the National Agricultural Credit (Long Term Operations) Fund, but including temporary overdrafts to State Governments.

†† Includes Rs. NIL advanced to scheduled commercial banks against usance bills under Section 17(4)(c) of the R.B.I. Act.

†† Excluding Loans and Advances from the National Agricultural Credit (Long Term Operations) Fund and the National Agricultural Credit (Stabilisation) Fund.

Dated the 30th day of November 1966.

An Account pursuant to the Reserve Bank of India Act, 1934, for the week ended the 25th day of November, 1966  
 ISSUE DEPARTMENT

LIABILITIES	Rs.	Rs.	ASSETS	Rs.	Rs.
Gold Coin and Bullion :—					
Notes held in the Banking Department			(a) Held in India		115,89,25,000
Notes in circulation	31,99,83,000	2779,60,48,000	(b) Held outside India		..
Total Notes issued	2811,60,31,000		Foreign Securities	176,42,01,00	
			TOTAL		292,31,26,000
			Rupee Coin		89,37,46,000
			Government of India Rupee Securities		2429,91,59,000
			Internal Bills of Exchange and other commercial paper		..
TOTAL LIABILITIES	2811,60,31,000		TOTAL ASSETS		2811,60,31,000

Dated the 30th day of November 1966.

P. C. BHATTACHARYYA, Governor.  
 [No. F. 3(3)-BC/66.]

New Delhi, the 5th December 1966

**S.O. 3689.**—In exercise of the powers conferred by clause (c) of sub-section (1) read with sub-section (7) of Section 8 of the Reserve Bank of India Act, 1934 (2 of 1934), the Central Government hereby renominates Shri C. P. N. Singh as a Director of the Central Board of the Reserve Bank of India with effect from the 15th January, 1967.

[No. F. 3(66)-BC/66.]

**S.O. 3690.**—In exercise of the powers conferred by clause (c) of sub-section (1) read with sub-section (7) of Section 8 of the Reserve Bank of India Act, 1934 (2 of 1934), the Central Government hereby renominates Prof. M. Mujeeb as a Director of the Central Board of the Reserve Bank of India with effect from the 15th January, 1967.

[No. F.3(66)-BC/66(1).]

**S.O. 3691.**—In pursuance of the provisions of clause (d) of sub-section (1) of Section 6 of the Deposit Insurance Corporation Act, 1961 (47 of 1961), the Central Government, in consultation with the Reserve Bank of India hereby re-nominates Shri G. S. Diwan, 126, Hindu Colony, 5th Lane, Dadar, Bombay, as a director of the Deposit Insurance Corporation for a period of one year with effect from the 1st January, 1967.

[No. F. 10/27/66-SB.]

**S.O. 3692.**—In pursuance of the provisions of clause (d) of sub-section (1) of Section 6 of the Deposit Insurance Corporation Act, 1961 (47 of 1961), the Central Government, in consultation with the Reserve Bank of India hereby nominates Shri Pabitra Kumar Ghosh, Senior Partner of Messrs. P. K. Ghosh and Co, P-39, Prinsep Street, Calcutta-13, as a director of the Deposit Insurance Corporation for a period of two years with effect from the 1st January, 1967 vice Shri S. N. Desai.

[No. F. 10/27/66-SB.]

V. SWAMINATHAN, Under Secy.

## (Department of Revenue and Insurance)

## ORDERS

New Delhi, the 29th November 1966

**S.O. 3693.**—In exercise of the powers conferred by rule 126-HHH, read with rules 126-T and 126-X, of the Defence of India Rules, 1962, the Central Government hereby directs that—

- (a) every dealer shall maintain a Register of Artisans in the form specified in the First Schedule to this order;
- (b) the identity card which every dealer shall grant to an artisan, whose name is entered by him in the Register of Artisans, shall be in the form specified in the Second Schedule to this order.

FIRST SCHEDULE  
Form of Register of Artisans  
[Rule 126-HHH(1) proviso]

Name of dealer	Name of artisan	Address of artisan	Licence No.		
S. No.	(1)	(2)	(3)	When employed	(4)
Period when he worked in goldsmith's profession prior to his engagement as artisan	(5)	Capacity in which he worked in goldsmith's profession (i.e. as dealer or certified goldsmith or outworker) prior to engagement as artisan (Give the No. of licence/certificate etc.)	(6)		

Signature/ Thumb impression of the artisan. (7)	No. and date of identity card issued. (8)	Whether the artisan is working in dealer's premises If he is working at a place other than that of the dealer the address of the artisan of premises of work should be indicated. (9)
If the artisan is also employed by any other dealer, names of those dealers (10)	Date of termination of service of artisan. (11)	Remarks. (12)

## SECOND SCHEDULE

## Form of Identity Card

[Rule 126-HHH(3)]

(To be Filled by the Licensed Dealer)

Serial No.

1. Full name of artisan.....Shri.....	Photo of the artisan
S/o.....	
2. Residential address.....	
3. Name and address of the licensed dealer by whom employed.....	
4. No. of the licence of the dealer.....	
5. Date when artisan was employed.....	
6. The period and capacity in which the artisan worked in <del>goldsmith</del> profession prior to his employment as artisan.....	
7. Signature/Thumb Impression of the artisan.....	

We/I have read Rule 126-HHH of the Defence of India Rules 1962 and satisfied ourselves/myself that the person above named employed by us/me as artisan/s is eligible under the rules to be so employed, and that his identity card has not been cancelled or countersignatures thereon refused, at any time.

Date.

Signature of the licensed dealer.

(To be filled by the Central Excise Officer)

No.\_\_\_\_\_

Countersigned.

Place:

Date.

Superintendent of Central Excise,  
Circle.

[No. F. 1/71/66-GC.II]

New Delhi, the 1st December 1966

S.O. 3694.—In exercise of the powers conferred by clause (c) of sub-rule (1B) of rule 126-HH of the Defence of India Rules, 1962, the Central Government hereby directs that every application by a dealer for the issue of a certificate recognizing him as a goldsmith shall be made in the form specified in the Schedule to this order.

## THE SCHEDULE

Space for Central Excise  
Revenue Stamp  
Date of punching and initials  
of Officer.  
Date of receipt of  
application.....

## FORM

*Application for Certificate as Goldsmith*

(Delete the letters and words not applicable)

To

The .....

Sir,

I (Block letters) .....  
(Surname first)..... aged ..... son of ..... residing  
at ..... request that I may be granted a certificate recognis-  
ing me as a goldsmith.2. I agree to abide by the provisions of Part XIIA of the Defence of India  
Rules, 1962, and any orders and directions issued thereunder and the terms and  
conditions of the certificate which may be granted.3. I have affixed a Central Excise Revenue Stamp in payment of the fee of  
Re. 1 for the certificate.4. I and my family have not been granted assistance by Government or Gov-  
ernment sponsored agency under the scheme of relief for affected goldsmiths.

## OR

4. (a) I and my family have been granted assistance by Government or Gov-  
ernment sponsored agency under the scheme of relief for affected goldsmiths as  
follows:(b) The loans received by me have been repaid on .....  
and no amount of the loans remains due from me.

5. I have not been registered under any law with respect to sales tax.

6. I have been carrying on business as a goldsmith for more than a year  
immediately before 10th January, 1963.

## OR

I am the son/grandson of Shri ..... who has been  
carrying on business as a goldsmith for more than a year immediately before 10th  
January, 1963.I have been working as a goldsmith as an employee or outworker of Shri .....  
..... of ..... whose dealer's licence No. is .....

7. I append two copies of my photograph (passport size).

8. I hereby declare that to the best of my knowledge and belief, the information  
furnished herein is true and complete.

Place .....

Date .....

Signature or thumb impression  
of the applicant.

Certified that the particulars given under paras 4, 5 and 6 have been verified and are correct. Identification marks of the applicant are:—

(a) .....

(b) .....

The photograph has been attested by me.

Date

Signature and designation of the authorised officer of the State Government. Orders passed by the Central Excise Officer issuing the certificate.

Signature .....  
Designation .....  
Date .....

No. of certificate  
Issued .....  
Date of issue of  
certificate .....

[No. 5 of 1966.]

[No. F. 1/69/66-G.C.II.]

R. C. MISRA, Dy. Secy.

(Department of Revenue & Insurance)

CORRIGENDA

CUSTOMS

New Delhi, the 10th December 1966

**S.O. 3695.**—In the Schedule to the notification of the Government of India in the Ministry of Finance (Department of Revenue and Insurance) No. S.O. 3258 (195-Customs), dated the 29th October, 1966 published at pages 2989 to 2992 of the Gazette of India, Part II, Section 3, Sub-section (II), dated the 29th October, 1966—

(a) at page 2990—

(i) omit lines 1 and 2;

(ii) in line 4 [serial No. (II)], for "Bench" read "Beach";

(b) at page 2991, at serial No. (3)—

under "KOZHIKODE DISTRICT" for "Armed Reserve", read "Armed Reserve Police".

[No. 207.]

**S.O. 3696.**—In the orders of the Government of India in the Ministry of Finance (Department of Revenue and Insurance) S.O. No. 3499 published on page 3175 of Part II, Section 3, Sub-section (II) of the Gazette of India No. 47, dated 19th November, 1966, for the words and figures "No. 20 of 1960 which was published in the Gazette of India dated 22nd October, 1966" read "20 of 1966 which was published in the Gazette of India dated 29th October, 1966."

[No. 25/66—F. No. 1/58/66-Cus. VII (Stamps).]

M. S. SUBRAMANYAM, Under Secy.

CENTRAL BOARD OF DIRECT TAXES

INCOME TAX

New Delhi, the 24th November 1966

**S.O. 3697.**—In exercise of the powers conferred by sub-section (1) of section 122 of the Income-tax Act, 1961 (43 of 1961) and of all other powers enabling it in that behalf the Central Board of Direct Taxes hereby makes the following further

amendments in the schedule appended to its Notification No. 4—Income-tax dated the 14th January, 1966, namely:—

Against 'A' Range, Indore under column 2 the following shall be substituted:

1. A-Ward, Indore
2. B-Ward, Indore
3. Central Circle, Indore
4. A-Ward, Ratlam
5. B-Ward, Ratlam
6. C-Ward, Ratlam
7. Mandsaur
8. A-Ward, Ujjain
9. B-Ward, Ujjain
10. C-Ward, Ujjain
11. D-Ward, Ujjain
12. Special Estate Duty-Cum-Income-tax Circle, Indore.

Against B-Range, Indore under column 2 the following shall be added:

S. No. 12 C-Ward, Indore  
S. No. 13 D-Ward, Indore

#### Explanatory Note

The amendment has become necessary on account of reallocation of work between the Appellate Assistant Commissioner of Income-tax, A-Range and B-Range, Indore.

(The above note does not form part of the notification but is intended to be merely clarificatory.).

[No. 110/F. No. 50/10/66-ITJ.]  
P. G. GANDHI, Under Secy.

### THE MADRAS CENTRAL EXCISE COLLECTORATE, MADRAS

#### CENTRAL EXCISE

*Madras, the 28th November 1966*

**S.O. 3698.**—In pursuance of Rule 5 of the Central Excise Rules, 1944 and in supersession of the Collectorate Notification/Central Excise No. IV/16/55/57 dated 22-4-57, I empower the Central Excise Officers not below the rank specified in column 2 of the Table appended, to exercise within their respective jurisdictions the powers of "Collector" conferred by the provisions of the rule enumerated in column 1 of the Table subject to the limitations set out in column 3 thereof.

#### TABLE

(1)	(2)	(3)
145 [Clause (a) of First proviso]	Superintendent of Central Excise.	To permit unmanufactured products to remain in the warehouse for a further period not exceeding six months in extension of the period of 3 years referred to in Rule 145.
145 [Clause (a) of First proviso]	Assistant Collector of Central Excise.	To grant extension of warehousing, for a period not exceeding six months in addition to the extension granted by the Superintendent as per clause (a) of the First proviso to Rule 145.

(1)	(2)	(3)
145 [Clause (b) of First proviso]	Deputy Collector	To grant extension of warehousing for a further period not exceeding one year in addition to the extension granted under Clause (a) of the First proviso to Rule 145.

[C. No. IV/16/298/65-C.E. Pol. II.]

S. VENKATARAMAN,  
Collector.

**OFFICE OF THE COLLECTOR OF CENTRAL EXCISE, BANGALORE**  
**CORRIGENDUM**  
**CENTRAL EXCISE**

*Bangalore, the 18th November 1966*

**S.O. 3699.**—The following amendment is made in this Office Notification No. 1/61, dated the 18th March, 1961 published at pages 786—789 of Section 3(ii) of Part II of the Gazette of India, dated 15th April 1961.

“The words and figures in Columns 1 and 2 viz., Sub-Inspector—144 appearing in the above notification shall be deleted”.

[No. 6/66.]

C. T. A. PILLAI,  
Collector.

**MINISTRY OF FOOD, AGRICULTURE, COMMUNITY DEVELOPMENT AND COOPERATION**

(Department of Co-operation)

*New Delhi, the 29th November 1966*

**S.O. 3700.**—In exercise of the powers conferred by Section 5B of the Multi-Unit Cooperative Societies Act, 1942 (6 of 1942), the Central Government hereby directs that all powers or authority exercisable by the Central Registrar of Co-operative Societies under the said Act shall also be exercisable by Shri Daljit Singh, Registrar Cooperative Societies, Chandigarh in respect of Multi-Unit Co-operative Societies registered or are deemed to be actually registered in the Union Territory of Chandigarh.

[No. F. 7-13/66-Credit.]

V. V. NATHAN, Dy. Secy.

(Department of Agriculture)

*New Delhi, the 29th November 1966*

**S.O. 3701.**—Whereas the Lok Sabha has, in pursuance of Clause (i) of Sub-Section (1) of Section (3) of the Prevention of Cruelty to Animals Act, 1960 (59 of 1960) elected Chowdhary Ram Sewak, as its representative on the Animal Welfare Board with effect from the 9th November, 1966 for the unexpired term of Shri N. M. R. Subbaraman who has since resigned.

Now, therefore, in pursuance of sub-section (1) of section 4 read with section 5 of the said Act, the Central Government hereby makes, with effect from the 9th November, 1966, the following further amendments to the Notification of the Government of India in the Ministry of Food and Agriculture (Department of Agriculture) No. S. 912 dated the 20th March, 1962; namely:—

In the said Notification,

the item No. 21, for the entry in the first column, the following entry shall be substituted; namely—

Chowdhary Ram Sewak, Member of Lok Sabha, 226, North Avenue, New Delhi.

[No. 19-2/66-L.D. I/III.]  
SANTOKH SINGH, Under Secy.

## MINISTRY OF EDUCATION

New Delhi, the 30th November 1966

In the matter of Charitable Endowments Act 1890.

AND

In the matter of the National Foundation for Teachers' Welfare, New Delhi.

**S.O. 3702.**—In pursuance of paragraph 3 of the Schedule 'B' to the notification of the Government of India in the Ministry of Education No. S.O. 1955, dated the 25th June, 1962 and in modification of the notification of the Government of India, in the Ministry of Education No. S.O. 2304, dated the 24th July, 1965 the appointment of Shri Fakhruddin Ali Ahmed, Minister of Education, Government of India as Chairman of the General Committee for the National Foundation for Teachers' Welfare is hereby notified.

[No. F. 8-34/66-NS. 4]

P. D. SHUKLA,  
Jt. Educational Adviser.

## MINISTRY OF HEALTH AND FAMILY PLANNING

## ORDER

New Delhi, the 2nd December 1966

**S.O. 3703.**—Whereas the Government of India in the Ministry of Health has, by notification No. 18-53/65-MPT, dated the 9th February, 1966, made, in exercise of the powers conferred by sub-section (1) of section 14 of the Indian Medical Council Act, 1956 (102 of 1956), recognised the medical qualification M.D. (Hahnemann Medical College, Philadelphia, Penn. U.S.A.) for the purposes of the said Act;

Now, therefore, in exercise of the powers conferred by the provision to sub-section (1) of section 14 of the Indian Medical Council Act 1956 (102 of 1956) the Central Government hereby specifies a further period from the 24th July, 1965 to the 31st December, 1966 or so long as Dr. Mark A. Kniss who possesses the said qualification, continues to work in the Nav Jivan Hospital, Satbarwa, District Palamau (Bihar) to which he is attached for the time being for the purposes of teaching, research or charitable work, whichever is shorter, as the period to which the medical practice of the said Dr. Mark A. Kniss shall be limited.

[No. F. 32-77/64-MPT.]  
P. C. ARORA, Under Secy.

## MINISTRY OF IRON AND STEEL

New Delhi, the 29th November 1966

**S.O. 3704/ESS. COMM/IRON & STEEL-2(c).**—In exercise of the powers conferred by Sub-Clause (c) of Clause 2 of the Iron and Steel (Control) Order, 1964, the Central Government hereby directs that the following further amendment shall be made to the notification of the Government of India, in the late Ministry of Steel, Mines and Heavy Engineering, No. S.O. 1525/ESS. COMM/IRON AND STEEL-2(c) dated 29th April, 1964, namely:—

In the Schedule annexed to the said notification, in the entries relating to the State of Mysore, for Item 4 and the entries relating thereto, the following item and entries shall be substituted, namely:—

1	2	3
"4. Joint Registrar of Cooperative Societies (Procurement) Government of Mysore, Bangalore		4, 5, 18 and 20"

[No. SC(I)-2(1)/64.]  
G. N. TANDON, Under Secy.

**MINISTRY OF TRANSPORT & AVIATION**

**(Department of Transport & Shipping)**

**(Transport Wing)**

*New Delhi, the 30th November 1966*

**S.O. 3705.**—In exercise of the powers conferred by section 63C of the Motor Vehicles Act, 1939 (4 of 1939) the Central Government hereby makes the following rules, to amend the Inter-State Transport Commission Rules, 1960, the same having been previously published as required by sub-section (i) of section 133 of the said Act.

**THE INTER-STATE TRANSPORT COMMISSION (AMENDMENT) RULES, 1966**

1. These rules may be called the Inter-State Transport Commission (Amendment) Rules, 1966.

2. In the Inter-State Transport Commission Rules, 1960 (a) after sub-rule (3) of rule 24, the following sub-rule shall be inserted namely:—

“(4) Pending the final disposal of the appeal, the Chairman of the Tribunal may, for sufficient cause, stay the execution of the order appealed against”;

(b) in rule 25, for the words “Inter-State Appellate Tribunal” wherever they occur, the words “Inter-State Transport Appellate Tribunal” shall be substituted.

[No. 41-TAG(2)/66.]

**A. S. BHATNAGAR, Dy. Secy.**

**(Dept. of Aviation & Tourism)**

*New Delhi, the 2nd December 1966*

**S.O. 3706.**—In exercise of the powers conferred by Section 4 of the Air Corporations Act, 1953 (27 of 1953), the Central Government hereby appoints Shri A. S. Bam, General Manager and Member of the Indian Airlines Corporation as Chairman of that Corporation with immediate effect *vice* Shri V. Shankar, resigned.

[No. 3-CA(14)/66.]

**S.O. 3707.**—In exercise of the powers conferred by section 4 of the Air Corporations Act, 1953 (27 of 1953), the Central Government hereby appoints, with immediate effect, Shri A. S. Bam, Chairman and General Manager, Indian Airlines Corporation, as a member of the Air-India Corporation, *vice* Shri V. Shankar, resigned.

[No. 3-CA(14)/66-II.]

**S.O. 3708.**—In exercise of the powers conferred by Section 4 of the Air Corporations Act, 1953 (27 of 1953), the Central Government hereby appoints, with immediate effect, Air Vice Marshal M. S. Chaturvedi as a member of the Indian Airlines Corporation *vice* Shri V. Shankar, resigned.

[No. 3-CA(14)/66-III.]

**J. N. GOYAL, Jt. Secy.**

**(Department of Aviation and Tourism)**

*New Delhi, the 3rd December 1966*

**S.O. 3709.**—Whereas on the 4th September, 1966, an accident occurred near Thana (Bombay), to an Indian Registered Caravelle aircraft VT-DSB engaged in a training flight, resulting in the death of four members of crew and complete destruction of the aircraft;

AND whereas, it appears to the Central Government that it is expedient to hold an inquiry into the said accident by a Committee of Inquiry;

Now, therefore, in exercise of the powers conferred by Rule 74 of the Aircraft Rules, 1937, the Central Government hereby appoints a Committee of Inquiry composed of the following persons to hold an inquiry into the said accident, namely:—

- (1) Shri R. N. Kathju, Retired Director General of Civil Aviation—Chairman.
- (2) Capt. G. C. Arya, Deputy Director General of Civil Aviation—Member.
- (3) Shri M. L. Sodhi, Director of Aeronautical Inspection—Member.

[No. F. 7-A/54-66.]

S. N. KAUL, Under Secy.

### MINISTRY OF MINES & METALS

New Delhi, the 29th November 1966

**S.O. 3710.**—In pursuance of sub-rules (2) of rule 9, clause (b) of sub-rule (2) of rule 12 and sub-rule (1) of rule 24, read with rule 33, of the Central Civil Services (Classification, Control and Appeal) Rules, 1965, the President hereby makes the following amendment to the notification of the Government of India in the late Department of Mines and Fuel (Ministry of Steel, Mines and Fuel), S.R.O. No. 2154, dated the 10th October, 1958, namely:—

“In the Schedule to the said notification, in Parts I and III, the heading “Indian Bureau of Mines” and the entries relating thereto shall be omitted”

[No. F. 13/8/66-MIII.]

A. SETHUMADHAVAN, Under Secy.

### MINISTRY OF WORKS, HOUSING AND URBAN DEVELOPMENT

New Delhi, the 23rd November 1966

**S.O. 3711.**—The councillors and aldermen of the Municipal Corporation of Delhi having—

- (1) on the 10th May, 1966, by resolution No. 24 re-elected Shri Amar Nath Chawla as representative of the Corporation on the Delhi Development Authority, and
- (2) on the 26th July, 1966 by resolution No. 307 elected Shri Brij Mohan as representative of the Corporation in the place of Shri Bhiku Ram Jain,

the Central Government in exercise of the powers conferred by section 3 of the Delhi Development Act, 1957 (61 of 1957), makes the following further amendment in the notification of the Government of India in the Ministry of Health, No. 12-173/57-LSG, dated the 30th December, 1957, namely:—

In the said notification, in item 9, for the entry “Shri Bhiku Ram Jain, Member,” the following entry shall be substituted, namely:—

“Shri Brij Mohan, Member”.

[No. 24011(6)/66-UD.]

R. C. MEHRA, Under Secy.

### (Directorate of Estates)

(Policy Cell)

New Delhi, the 3rd December 1966

**S.O. 3712.**—The Central Government, Ministry of Works, Housing & Rehabilitation, (Department of Works and Housing) Notification No. S.O. 272 dated the 16th January 1964 as amended by Corrigendum dated 22nd February 1964 appointing

Estate Manager, Bombay, as an Estate Officer under Section 3 of the Public Premises (Eviction of Unauthorised Occupants) Act, 1958 (No. 32 of 1958) in respect of the Public Premises noted below, is hereby withdrawn and cancelled.

- (1) Ex-Government Grain Shop No. 174, Birla Mansions, Banam Hall Lane, Bombay-4.
- (2) Ex-Government Grain Shop No. 178, Ready Money Building, Sahkl Street, Bombay-8.

[No. 24(8)/62EEII(Pol.)]

K. C. JOSHI, Dy. Secy.

### DELHI DEVELOPMENT AUTHORITY

#### PUBLIC NOTICE

*New Delhi, the 10th December 1966*

Notice under Section 11 of the Delhi Development Act, 1957 (No. 61 of 1957).

**S.O. 3713.**—Notice is hereby given that:—

- (a) The Central Government have, under sub-section (2) of Section 9 of the Delhi Development Act, 1957 (No. 61 of 1957), approved the zonal development plan for Zone D-2 (Mata Sundari Road Area).
- (b) A copy of the plan as approved may be inspected at the office of the Delhi Development Authority, Delhi Vikas Bhawan, "D"-Block, Indraprastha Estate, New Delhi, between the hours of 11.00 A.M. and 3.00 P.M. on all working days.

[No. F. 3(409)/64-M.P.]

B. C. SARKAR Addl. Secy.,  
Delhi Development Authority.

### MINISTRY OF COMMERCE

*New Delhi, the 30th November 1966*

**S.O. 3714.**—In exercise of the powers conferred by sub-section (1) of section 9 of the Tea Act, 1953 (29 of 1953), the Central Government hereby appoints Shri G. P. Shrivastava, an officer of the U.P. Civil Service (Executive) on deputation to Delhi Administration, Delhi, as Special Officer for North West India under the Tea Board at New Delhi, with effect from the forenoon of the 12th September, 1966.

[No. F. 1(24)-Plant(A)/86.]

B. KRISHNAMURTHY, Under Secy.

*New Delhi, the 2nd December 1966*

**S.O. 3715.**—The Central Government, having considered in consultation with the Forward Markets Commission, the application for recognition made under section 5 of the Forward Contracts (Regulation) Act, 1952 (74 of 1952), by the Madras Oil and Seeds Exchange Ltd., 320, Linghi Chetty Street, Madras-1 and being satisfied that it would be in the interest of the trade and also in the public interest so to do, hereby grants, in exercise of the powers conferred by section 6 of the said Act, recognition to the said Association for a period of three years from the 10th December, 1966 to the 9th December, 1969 (both days inclusive) in respect of forward contracts in groundnut.

2. The recognition hereby granted is subject to the condition that the said Association shall comply with such directions as may from time to time be given by the Forward Markets Commission.

[No. 34(3)-Com. Genl. (FMC)/66.]

New Delhi, the 6th December 1966

**S.O. 3716.**—The Central Government, having considered in consultation with the Forward Markets Commission, the application for recognition made under section 5 of the Forward Contracts (Regulation) Act, 1952 (74 of 1952) by the Ludhiana Grain Exchange Ltd, Ludhiana, and being satisfied that it would be in the interest of the trade and also in the public interest so to do, hereby grants in exercise of the powers conferred by section 6 of the said Act, recognition to the said Exchange for a period of one year from the 12th December 1966 to the 11th December 1967 (both days inclusive) in respect of forward contracts in cottonseed.

2. The recognition hereby granted is subject to the condition that the said Exchange shall comply with such directions as may from time to time be given by the Forward Markets Commission.

[No. 34(12)-Com.Genl/FMC/66.]

M. L. GUPTA, Under Secy.

## ORDER

New Delhi, the 10th December 1966

**S.O. 3717.**—In exercise of the powers conferred on me by Notification No. S.O. 1029, dated the 28th March, 1966, I hereby direct that the Producer, specified in column 1 of the Table below of the goods as specified in Column 2 thereagainst shall sell 7.5 Metric Tonnes of the goods in his possession to the persons specified in the corresponding entry in column 3 of the said table for purposes of manufacture for export, at the price indicated thereagainst in column 4 subject to the conditions enumerated in column 5 of the said table.

TABLE

Name of the firm (Producer)	Specification of goods	Name of the Exporter	Price	Conditions
1	2	3	4	5
M/s Bengal Chemical & Pharmaceutical Works Ltd, 6, Ganesh Chunder Avenue, Calcutta-13	7.5 Tonnes of Sulphuric Acid Com.	M/s Scientific & Chemical Product Pvt. Ltd., 226 Bagmari Road, Calcutta-54.	At producers normal selling Price	Supplies should be made immediately.

[No. F. 34/2/66-EP(M&amp;C).]

By order etc.

A. C. BANERJEE,

Director,

Essential Commodities (Regulation of Production and Distribution for purpose of Export) Order, 1966.

## MINISTRY OF INDUSTRY

(Indian Standards Institution)

New Delhi, the 25th November 1966

**S.O. 3718.**—In pursuance of sub-regulation (3) of regulation 7 of the Indian Standards Institution (Certification Marks) Regulations, 1955, the Indian Standards Institution hereby notify that the marking fee per unit for Organo mercurial dry seed-dressing formulations, details of which are given in the Schedule hereto annexed, has been determined and the fee shall come into force with immediate effect.

## THE SCHEDULE

Sl. No.	Product/Class of Products	No. and title of relevant Indian Standard	Unit	Marking Fee per Unit
(1)	(2)	(3)	(4)	(5)
1	Organo mercurial dry seed-dressing formulations	IS:3284-1965 Specification for organo mercurial dry seed-dressing formulations.	One Kg.	0.5 Paisa

[No. MD/18:2.]

S.O.3719.—Renewal of Certification Marks Licences, details of which are given hereafter, has been deferred :

Sl. No.	Licence No. and Date	Licensee's Name and Address	Article and the Indian Standard Number	S.O. Number and Date of the Gazette Notifying Grant of Licence	Remarks
(1)	(2)	(3)	(4)	(5)	(6)
1.	CM/L-345 29-9-1961	M/s. AFCO Ltd., Erangal, Madh Extension ladders for fire fighting purposes— Island, via Andheri, Bombay-58	IS : 930—1959	S.O. 2447 14-10-1961	Deferred after 15-10-1966
2.	CM/L-346 29-9-1961	M/s. AFCO Ltd., Erangal, Madh Island, via Andheri, Bombay-58	Weeled fire escape—IS : 931—1959		Deferred after 15-10-1966
3.	CM/L-347 29-9-1961	The Mysore Electro-Chemical Works Ltd., Rajaji Nagar Yeswantpur, Bangalore (Mysore)	Lead-acid storage batteries for motor vehicles light duty IS : 395—1962		Deferred after 15-10-1966
4.	CM/L-462 28-9-1962	Sambhar Salts Ltd., Sambhar Lake (Rajasthan)	(i) Commonsalt for butter and cheese industry—IS : 1845—1961 & (ii) Free flowing table salt—IS : 2035—1961	S.O. 1680 22-6-1963	Deferred after 15-10-1966
5.	CM/L-1140 14-9-1965	M/s. Bengal Tar Products, P.O. Pradhankhunta, Distt. Dhanbad (Bihar) having their office at 73, Netaji Subhas Road, Calcutta	BHC dusting powders—IS : 561—1962		Deferred after 30-9-1966
6.	CM/L-1141 14-9-1965	M/s. Bengal Tar Products, P.O. Pradhankhunta, Distt. Dhanbad (Bihar) having their office at 73, Netaji Subhas Road, Calcutta	Endrin emulsifiable concentrates— IS : 1310—1958	S.O. 3324 23-10-1965	Deferred after 30-9-1966
7.	CM/L-1142 14-9-1965	M/s. Bengal Tar Products, P. O. Pradhankhunta, Distt. Dhanbad (Bihar) having their office at 73, Netaji Subhas Road, Calcutta	BHC emulsifiable concentrates— IS : 632—1958		Deferred after 30-9-1966

1	2	3	4	5	6
8.	CM/L-1143 14-9-1965	M/s. Bengal Tar Products, P. O. Pradhan Khunta, Distt. Dhanbad (Bihar) having their office at 73, Netaji Subhas Road, Calcutta	DDT emulsifiable concentrates— IS : 633—1956	S.O. 3324 23-10-1965	Deferred after 30-9-1966
9.	CM/L-1156 20-10-1965	M/s. Traco Cable Co. Ltd., Irimpanam, Thinuvamkulam Village, Kanayannur, Ernakulam Distt. (Kerala)	PVC insulated (heavy duty) electric cables for working voltages upto and including 1100 volts with aluminium conductors only—IS : 1554 (Part I)—1961	S.O. 3586 20-11-1965	Deferred after 31-10-1966

[MD/33 :16/C.]

S. K. SEN,  
Deputy Director General.

New Delhi, the 29th November 1966

**S.O. 3720/29/B/IDRA/66.**—In exercise of the powers conferred by sub-section (1) of section 29B of the Industries (Development and Regulation) Act, 1951 (65 of 1951), the Central Government hereby exempts from the operation of section 11A of the said Act and the rules made thereunder, all industrial undertakings registered or in respect of which a licence or permission has been issued under the said Act, provided that—

- (i) no additional plant and machinery is installed except minor balancing equipment procured indigenously;
- (ii) no additional expenditure of foreign exchange is involved;
- (iii) the number or quantity of new article or articles produced or manufactured do not exceed 25 per cent of the total production; and
- (iv) the new article or articles to be produced or manufactured do not include any of the following namely:—

1. Welded Wire Mesh.
2. Expanded Metal.
3. Beam Scale.
4. Barbed Wire.
5. Machine Screws.
6. Wood Screws.
7. Ordinary Bolts and Nuts.
8. Builders' Hardware.
9. Collapsible Tubes.
10. Cycle Pumps.
11. Students' Microscopes.
12. Diamond Tools.
13. Steel Wool.
14. Hurricane Lanterns.
15. Electric Fans.
16. Electric Cables and Wires (Low tension, i.e. up to 500 volts).
17. Domestic Electric Appliances (such as Electric Iron, Roasters, Heaters and the like).
18. Radio Receivers (non-excisable i.e. those with sale price not exceeding Rs. 165/-).
19. Bicycles and Parts.
20. Sewing Machines & Parts (Domestic).
21. Water Meters.
22. House Service Meters.
23. Hand Numbering Machines.
24. Tape Recorders.
25. Metal Clad Switches.
26. All Wire Products such as Wire Nails, Hob Nails, Panel Pins, Horse Shoe Nails.
27. Rivets of all types (including bifurcated).
28. Wire Brushes and Fibre Brushes.
29. Conduit Pipes.
30. Cycle Accessories (Carriers, Lamps, Bells).
31. Machine Shop Vices.
32. Telescope Aerials.
33. Pencil Sharpeners.
34. Insecticide Dusters and Sprayers (Manual).
35. Rolling Shutters.
36. Gun Metal Bushes.
37. Cast Iron Pipes and Fittings.
38. Plaster Boards.

39. Pine Oil.
40. Palm Rosa Oil.
41. Absorbent Cotton.
42. Surgical Gloves.
43. Fireworks.
44. Miniature Bulbs.
45. Housing Electrical Accessories.
46. Hypodermic Needles.
47. Spindle Inserts.
48. Automobile Leaf Springs.
49. Automobile Radiators.
50. Safety Matches.
51. Laundry Soap.
52. Leather Footwear.
53. Paper Conversion Products.
54. L.T. Insulators (Below 2.2 KV).
55. Plastic Processed Products:—
  - (i) Bottle caps, buttons, lamp shades etc. produced by the compression moulding technique.
  - (ii) Plastic articles manufactured from plastic sheets, rods or tubes by the fabrication technique including the technique of vacuum forming.
  - (iii) Polythelene films (films with a thickness of less than 1 mm) and products from the film such as bags etc.
  - (iv) Mono filaments from polyolafines.
  - (v) Blow-moulded containers and other similar products manufactured by the blow moulding technique.
  - (vi) Finished products manufactured from expanded (foamed) Polystyrene beads.
  - (vii) Spectacle frames from sheets by fabrication technique or by injection moulding.
  - (viii) Manufacture of polyster sheets for buttons and the processing of the sheets so produced to manufacture buttons.
56. Thermometers (upto 150°C).
57. Roofing, Flooring and Glazed Tiles.
58. Glass holloware by semi-automatic process or glass products which may be made by the batch process.
59. Fine Chemicals.
60. Formulated Perfumery Compounds.
61. Detergent Formulations.
62. Pesticids Formulations.
63. Paints and Varnishes—Dry distempers, Red lead, Red Oxide, Aluminium Paints, Bitumen Paints to IS Specification, Wagon Blocks, Graphite Paints, all Paste Paints.
64. Dyes—(i) Azo dyes (ii) Basic dyes (iii) all processed dyes such as established Azoics, Indigosols, Vat dyes paste, Pigment paste, Pigment emulsions.
65. Sealed Beams.
66. Barium Salts.
67. Bichromates.
68. Copper Sulphate.
69. Bismuth Salts.
70. Nitric Acid (from Saltpetre).
71. Potassium Permanganate.

## CORRIGENDUM

New Delhi, the 22nd November 1966

**S.O. 3721.**—In the Ministry of Industry Order No. S.O./IDRA/6/3, dated the 5th March, 1966, published in Part II Section 3 Sub-Section (ii) of the Gazette of India, dated the 9th April, 1966:—

For 14. Shri K. L. Vij, Vice Chairman, Central Water & Power Commission, Bikaner House, New Delhi.

Read 14. Shri N. Venkatasan, Director, Central Water & Power Commission (Power Wing), Bikaner House, New Delhi.

[No. EEI-19(20)/63.]

K. N. SHENOY, Dy. Secy.

## MINISTRY OF PETROLEUM AND CHEMICALS

New Delhi, the 24th November 1966

**S.O. 3722.**—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of petroleum from the Ankleshwar oilfield in Gujarat State to Uttaran in Gujarat State, pipelines should be laid by the Oil and Natural Gas Commission and that for the purpose of laying such pipelines, it is necessary to acquire the right of user in the land described in the Schedule annexed hereto;

2. Now, therefore, in exercise of the powers conferred by sub-section (1) of section 3 of the Petroleum Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein.

3. Any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipelines under the land to the competent authority at LMP Building, 4th Floor, Sayaji Ganj, Baroda in the office of the Gujarat Pipeline Project, Oil and Natural Gas Commission. Every person making such an objection shall also state specifically whether he wishes to be heard in person or by a legal practitioner.

## SCHEDULE

State—Gujarat	District—Broach	Taluka,—Ankleshwar		
Village	Survey No.	Acre	Guntha	Sq. Yards
Pardi-Idris . . . .	247	0	26	80

[No. 31/38/63-ONG. Vol. 7.]

**S.O. 3723.**—Whereas by a notification of the Government of India in the Ministry of Petroleum and Chemicals S.O. No. 3982 dated the 9th November, 1964 under sub-section (1) of Section 3 of the Petroleum Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in the lands specified in the Schedule appended to that notification for the purpose of laying pipelines;

And whereas the competent authority has, under sub-section (1) of section 6 of the said Act, submitted report to the Government;

And, whereas, the Central Government has, after considering the said report, decided to acquire the right of user in the lands specified in the Schedule appended to this notification;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the Schedule appended to this notification is hereby

acquired for laying the pipelines and in exercise of the powers conferred by sub-section (4) of that section, the Central Government directs that the right of user in the said lands, shall instead of vesting in the Central Government, vest on the date of the publication of this declaration in the Oil and Natural Gas Commission free from all encumbrances.

#### SCHEDULE

State—Gujarat	District—Broach	Taluka—Ankleshwar	
Village	S. No.	A.G.	Sq. Yds.
Borbhatha	253	0—2	0
Kansia Bet	44	2—17	109
Adol	354/I	0—28	2

[No. 31/38/63-ONG. Vol. 7.]

**S.O. 3724.**—Whereas by a notification of the Government of India in the Ministry of Petroleum and Chemicals S.O. No. 2994 dated the 16th September 1966 under sub-section (1) of Section 3 of the Petroleum Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in the lands specified in the Schedule appended to that notification for the purpose of laying pipelines;

And whereas the competent authority has, under sub-section (i) of section 6 of the said Act, submitted report to the Government;

And, whereas, the Central Government has, after considering the said report, decided to acquire the right of user in the lands specified in the Schedule appended to this notification;

Now, therefore, in exercise of the powers conferred by sub-section (i) of section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the Schedule appended to this notification is hereby acquired for laying the pipelines and in exercise of the powers conferred by sub-section (4) of that section, the Central Government directs that the right of user in the said lands, shall instead of vesting in the Central Government, vest on the date of the publication of this declaration in the Oil and Natural Gas Commission free from all encumbrances.

#### SCHEDULE

State—Gujarat	District—Ahmedabad	Taluka—City.		
Village	Survey No.	Acre	Guntha	Sq. yds.
OKAF (SARKHEJ)	304	0	20	47

[No. 31/41/64-ONG/Vol. 2.]

**S.O. 3725.**—Whereas by a notification of the Government of India in the Ministry of Petroleum and Chemicals S.O. No. 2995 dated the 16th September, '66, under sub-section (1) of Section 3 of the Petroleum Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in the lands specified in the Schedule appended to that notification for the purpose of laying pipelines;

And whereas the competent authority has, under sub-section (i) of section 6 of the said Act, submitted report to the Government;

And, whereas, the Central Government has, after considering the said report, decided to acquire the right of user in the lands specified in the Schedule appended to this notification;

Now, therefore, in exercise of the powers conferred by sub-section (i) of section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the Schedule appended to this notification is hereby acquired for laying the pipelines and in exercise of the powers conferred by sub-section (4) of that section, the Central Government directs that the right of user in the said lands, shall instead of vesting in the Central Government, vest on the date of the publication of this declaration in the Oil and Natural Gas Commission free from all encumbrances.

## SCHEDULE

State—Gujarat	District—Ahmedabad	Taluka—Dascroi		
Village	Survey No.	Acre	Guntha	Sq. yds.
Chainpur	100 121/2+4 111	0 0 0	20 18 8	0 60 99
Gota	230 229 217/3 217/1+2	0 0 0 0	8 12 4 5	35 26 33 17
Chandlodia	317/1	0	9	0
Bareja	96/1 96/2 95/1 80 93 82	0 0 0 0 0 0	13 1 9 9 1 1	10 33 77 93 50 66
Oda	181	0	2	25
Fatewadi	110 to 115 1	0	6	52
	105+107 to 109	0	10	0
	2 105+107 to 109	0	4	92
	1 198+199+232+200+233	0	2	30
	2			
	236+237	0	5	96
Bodakdev	288	0	4	0
Naza	614	0	3	32
Vanazar	134 12P 12P 13	0 0 0 0	17 1 0 24	04 42 25 20
Chatlodia	236/1 177/1	0 0	3 14	33 110
Thaltej	49/1/1	0	11	33

**S.O. 3726.**—Whereas by a notification of the Government of India in the Ministry of Petroleum and Chemicals S.O. No. 2996 dated the 16th Sept., 1966, under sub-section (1) of Section 3 of the Petroleum Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in the lands specified in the Schedule appended to that notification for the purpose of laying pipelines;

And whereas the competent authority has, under sub-section (1) of section 6 of the said Act, submitted report to the Government;

And, whereas, the Central Government has, after considering the said report, decided to acquire the right of user in the lands specified in the Schedule appended to this notification;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the Schedule appended to this notification is hereby acquired for laying the pipelines and in exercise of the powers conferred by sub-section (4) of that section, the Central Government directs that the right of user in the said lands, shall instead of vesting in the Central Government, vest on the date of the publication of this declaration in the Oil and Natural Gas Commission free from all encumbrances.

SCHEDULE

State—Gujarat		District:—Kaira	Taluka—Matar		
	Village	Survey No.	Acre	Guntha	Sq. Yds
Regharanaj	.	475/1 P 475/1 P 479/2 +480 466/1 466/2 462/1 463/1 463/3 463/6 463/7 435/1 435/2	0 0 0 0 0 0 0 0 0 0 0 0	3 15 13 0 4 8 1 5 3 4 0 5	26 52 21 60 0 88 35 0 55 0 25 0
Undhela	.	883 876/4 737/1 737/2 738 720/1/1 720/1/2 719	0 0 0 0 0 0 0	4 6 12 11 7 9 3 0	44 0 34 47 0 52 14 117
Vanasar	.	348/2 496/2	0 0	17 14	43 56
Sokhada	.	393/2 677/2 690/4 724 749 748 27/2	0 0 0 0 0 0 0	8 5 6 15 2 6 15	107 17 13 36 34 0 95
Hariyala	.	625/1 626/1	0 0	5 13	10 45
Goblej	.	537/1/2 537/1/3 537/2 538/2	0 0 0 0	2 5 1 6	104 72 64 6
Pansoli	.	292/P 293/P 296/P	0 0 0	12 10 7	26 17 86

**S.O. 3727.**—Whereas by a notification of the Government of India in the Ministry of Petroleum and Chemicals S.O. No. 2998 dated the 22nd Sept., 1966, under sub-section (1) of Section 3 of the Petroleum Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in the lands specified in the Schedule appended to that notification for the purpose of laying pipelines;

And whereas the competent authority has, under sub-section (1) of section 6 of the said Act, submitted report to the Government;

And, whereas, the Central Government has, after considering the said report, decided to acquire the right of user in the lands specified in the Schedule appended to this notification;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the Schedule appended to this notification is hereby acquired for laying the pipelines and in exercise of the powers conferred by sub-section (4) of that section, the Central Government directs that the right of user in the said lands, shall instead of vesting in the Central Government, vest on the date of the publication of this declaration in the Oil and Natural Gas Commission free from all encumbrances.

**SCHEDULE**

State—Gujarat	District—Kaira	Taluka—Mehamdabad		
Village	Survey No.	Acre	Guntha	Sq. Yds.
Kaira	95	0	13	68

[No. 31/41/64-ONG/Vol. 2]

C. P. JACOB, Under Secy.

**MINISTRY OF LABOUR, EMPLOYMENT AND REHABILITATION**

(Department of Labour and Employment)

New Delhi, the 28th November 1966

**S.O. 3728**—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishments mentioned in the Schedule annexed hereto have agreed that the provisions of the Employees' Provident Funds Act, 1952 (19 of 1952), should be made applicable to the said establishments;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishments.

This notification shall be deemed to have come into force on the 1st day of August, 1966.

**SCHEDULE**

1. Mangalore Dress Manufacturing Co., Main Road, Vizianagaram-2, Andhra Pradesh State.
- 2 Venkatasri Engineering Co., 69/I(1-1-109) Rashtrapati Road, Secunderabad-3, Andhra Pradesh.

[No. 8(3)66-PF.II.]

**S.O. 3729.**—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as M/s. Ludhiana Woollen and Silk Mills, P.O. District Jail, Amritsar, have agreed that the provisions of the Employees' Provident Funds Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the 1st day of May, 1966

[No. 8/5/66/PF-II.]

**S.O. 3730.**—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as M/s. National Air Products Ltd., Delhi Mathura Road, Faridabad have agreed that the provisions of the Employees' Provident Funds Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the 1st day of April, 1966.

[No. 8/5/66/PF-II.]

**S.O. 3731.**—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as M/s. Machines and Tubes 2865 Sirkiwalan, Delhi-6 have agreed that the provisions of the Employees' Provident Funds Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the 1st day of February 1966.

[No. 8(6)/66-PF.II.]

**S.O. 3732.**—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as M/s. Printsman 18A/11 Dorivalan, Rohtak Road, New Delhi have agreed that the provisions of the Employees' Provident Funds Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the 1st day of July 1966.

[No. 8(6)/66-PF.II.]

**S.O. 3733.**—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as M/s Kishan Chand Uttam Chand (Textiles) Private Ltd., 4, Meerbohor Ghat Street, Calcutta-7 have agreed that the provisions of the Employees' Provident Funds, Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the 30th day of April, 1966.

[No. 8/7/66-PF.II.]

**S.O. 3734.**—Whereas it appears to the Central Government that the employers and the majority of the employees in relation to the establishments mentioned in the Schedule annexed hereto have agreed that the provisions of the Employees' Provident Funds Act, 1952 (19 of 1952), should be made applicable to the said establishments;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishments

This notification shall be deemed to have come into force on the 1st day of April 1966.

#### SCHEDULE

1. M/s. Pramuk Agency Private Limited, 19 Strand Road, Calcutta-1.
- 2 M/s. Pratul Mukerjee (Stevedores) Private Limited, 19, Strand Road, Calcutta-1.
3. M/s. Nav Bharat Processing Mills, 40/1, A. Road Bamangachi, Salkia, Howrah.
4. M/s. Sett. Bros. Printing Works, 11/B Nayan Chand Dutt Street, Calcutta-6.
5. M/s. Abrasives and Castings Limited, 11, Canal South Road, Pagladanga, Calcutta-10.

[No. 8/7/66-PF.II.]

**S.O. 3735.**—Whereas it appears to the Central Government that the employers and the majority of the employees in relation to the establishments mentioned in the Schedule annexed hereto have agreed that the provisions of the Employees' Provident Funds Act, 1952 (19 of 1952), should be made applicable to the said establishments;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishments.

This notification shall be deemed to have come into force on the 1st day of March, 1966.

#### SCHEDULE

1. M/s. Bengal Lime and Stone Co. Private Ltd., 12/1, Lindsay Street, Calcutta-16.
2. M/s. Lekhashree Private Limited, 71, Kailash Bose Street, Calcutta-6.
- 3 M/s. Mudrani, 71, Kailash Bose Street, Calcutta-6.

[No. 8/7/66-PF.II.]

**S.O. 3736.**—Whereas it appears to the Central Government that the employers and the majority of the employees in relation to the establishments mentioned in the Schedule annexed have agreed that the provisions of the Employees' Provident Funds Act, 1952 (19 of 1952), should be made applicable to the said establishments;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishments.

This notification shall be deemed to have come into force on the 1st day of January, 1966.

#### SCHEDULE

1. M/s. Singell Tea Company, Limited, 5 Fairlie Place, Calcutta-1.
2. M/s. National Paper Products, 6, Nawab Dilarjung Road, Calcutta-2
3. M/s. Mohanlal Agarwala, 16 India Exchange Place, Calcutta-1.

[No. 8/7/66-PF.II.]

**S.O. 3737.**—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as M/s Sun Distributors and Mining Co. Ltd., 14 Netaji Subhas Road, Calcutta-1 have agreed that the provisions of the Employees' Provident Funds Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

The notification shall be deemed to have come into force on the 1st day of April, 1966.

[No. 8/7/66-PF.II.]

**S.O. 3738.**—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as the Vanaspati Manufacturers' Association of India, East Zone, 18-B, Brabourne Road, Calcutta-1 have agreed that the provisions of the Employees' Provident Funds Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the 1st day of May, 1966.

[No. 8/7/66-PF.II.]

**S.O. 3739.**—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as M/s. Gaya Prasad Sitaram, 48, G.T. Road (South), Howrah have agreed that the provisions of the Employees' Provident Funds Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the 1st day of January 1965.

[No. 8/7/66-PF.II.]

**S.O. 3740.**—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Jayalakshmi Talkies Srirangapatna, Mandya District (Mysore State) have agreed that the provisions of the Employees' Provident Funds Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the 1st day of November 1965.

[No. 8(11)/66-PF.II.]

**S.O. 3741.**—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs S. Shaik Shavali Sahib, Tannery, Urava Konda, Anantapur, District Andhra Pradesh have agreed that the provisions of the Employees' Provident Funds Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment, with effect from the 1st December, 1966.

[No. 8(13)/66-PF.II.]

**S.O. 3742.**—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs AEG Engineering Company of India Limited, Tiecon House, Haines Road Mahalaxmi, Bombay-11 B.C. have agreed that the provisions of the Employees' Provident Funds Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. 8(15)/66-PF. II.]

**S.O. 3743.**—Whereas it appears to the Central Government that the employer and the majority of the Employees in relation to the establishment known as Messrs Indo American Electricals Limited 21 Old Court House Street, Calcutta-1 have agreed that the provisions of the Employees' Provident Funds Act, 1952, (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment with effect from the 1st day of January, 1967.

[No. 8(20)/66-PF. II.]

**S.O. 3744.**—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Eupparma Laboratories, 229-230, Hind Rajasthan Industrial Estate Nalgam Cross Road, Bombay-31 have agreed that the provisions of the Employees' Provident Funds Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the 1st day of June 1966.

[No. 8(21)/66-PF-II.]

**S.O. 3745.**—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Trichur Kuri Syndicate Limited, Trichur-1 (Kerala) have agreed that the provisions of the Employees' Provident Funds Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment with effect from the 1st December, 1966.

[No. 8(24)/66-PF.II.]

**S.O. 3746.**—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Gnanodaya Press, No. 11 Anderson Street, Madras-1 have agreed that the provisions of the Employees' Provident Funds Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment with effect from the 1st December, 1966.

[No. 8(25)/66-PF.II.]

**S.O. 3747.**—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs. Krishi Sales and Service, 4 Durga Bhawan, Rashtrapati Road Secunderabad—(Andhra Pradesh) have agreed that the provisions of the Employees' Provident Funds Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the 1st day of April 1966.

[No. 8(26)/66-PF. II.]

**S.O. 3748.**—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Shree Narayan Litho Press, Raikhad, Ahmedabad-1 have agreed that the provisions of the Employees' Provident Funds Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the 1st day of November 1966.

[No. 8(27)/66-PF.II.]

**S.O. 3749.**—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment Messrs Diesel (India) 2, Lal Bagh Fort Road, Bangalore-4 have agreed that provisions of the Employees' Provident Funds Act, 1952 (19 of 1952), should be made applicable to the said establishment,

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment with effect from the first of December, 1966.

[No. 8(32)/66-PF-II.]

**S.O. 3750.**—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs. Podder Agencies, No. 5, Queens Park, Calcutta-19 have agreed that the provisions of the Employees' Provident Funds Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the 31st day of October, 1966.

[No. 8/7/66-PF-II(Part) ]

**S.O. 3751.**—Whereas it appears to the Central Government that the employers and the majority of the employees in relation to the establishments mentioned in the Schedule annexed hereto have agreed that the provisions of the Employees' Provident Funds Act, 1952 (19 of 1952), should be made applicable to the said establishments;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishments.

This notification shall be deemed to have come into force on the 31st day of May 1966.

#### SCHEDULE

1. M/s. New Kem Insulations (Calcutta) No. 4, Chandni Chowk Street, Calcutta-13.
2. M/s. Calcutta Oil and Produce Syndicate, No. 9, Rabindra Sarani, Calcutta-1.
3. M/s. Poddar Estates Limited, Registered Office, No. 18, Rabindra Sarani, Calcutta-1.
4. M/s. Commercial Investment Corporation, No. 18, Rabindra Sarani Calcutta-1.

[No. 8(7)/66-PF.II(Part).]

*New Delhi, the 30th November 1966*

**S.O. 3752.**—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Purasawalkam Permanent Fund Limited, No. 13, Venaithirertha Mudali Street, Vepery, Madras-7, have agreed that the provisions of the Employees' Provident Funds Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment with effect from the 1st December, 1966.

[No. 8/38/66/PF-II.1]

*New Delhi, the 1st December 1966*

**S.O. 3753.**—Whereas the State Government of Orissa has, in pursuance of clause (d) of sub-section (1) of section 10 of the Employees' State Insurance Act, 1948 (34 of 1948), nominated Dr. B. M. Nanda, Administrative Medical Officer, Government of Orissa to be a member of the Medical Benefit Council in place of Dr. S. K. Bose;

Now, therefore, in pursuance of sub-section (1) of section 10 of the Employees' State Insurance Act, 1948 (34 of 1948), the Central Government hereby makes the following amendment in the notification of the Government of India, in the Ministry of Labour, Employment and Rehabilitation, (Department of Labour and Employment) No. S.O. 2899 dated the 27th September, 1966 namely:—

In the said notification, under the heading “(Nominated by the State Governments concerned under clause (d) of sub-section (1) of section 10)”, for the entry against item (13) the following entry shall be substituted, namely:—

“Dr. B. M. Nanda, Administrative Medical Officer, Employees' State Insurance Scheme, Government of Orissa, Bhubaneswar.”

[No. F. 3/8/66-HI.]

*New Delhi, the 2nd December 1966*

**S.O. 3754.**—In exercise of the powers conferred by sub-section (1) of section 10 of the Coal Mines Provident Fund and Bonus Schemes Act, 1948 (46 of 1948), the Central Government hereby appoints Sarvashri Guru Sahay Prasad, Gur Sharan Das, K.B. Bahl and Lakhan Prasad as Inspectors for the purposes of the Coal Mines Provident Fund Scheme, Andhra Pradesh Coal Mines Provident Fund Scheme, Rajasthan Coal Mines Provident Fund Scheme, Coal Mines Bonus Scheme, Andhra Pradesh Coal Mines Bonus Scheme, Rajasthan Coal Mines Bonus Scheme and Assam Coal Mines Bonus Scheme, and makes the following amendment in the notification of the Government of India in the Ministry of Labour, Employment and Rehabilitation (Department of Labour and Employment) No. S.O. 1567, dated the 20th May, 1966, namely:—

In the said notification, after serial number 24 and the entries relating thereto, the following serial numbers and entries shall be added, namely:—

“25 Shri Guru Sahay Prasad  
26 Shri Gur Sharan Das  
27 Shri K. B. Bahl  
28 Shri Lakhan Prasad”

[No. 2(350)63-PF.I.]

**S.O. 3755.**—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs N. T. Bus Service, Subramania Nagar, Salem-5 (Madras State) have agreed that the provisions of the Employees' Provident Funds Act, 1952 (19 of 1952), should be made applicable to the said establishment:

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment with effect from the 1st December, 1966.

[No. 8(41)66-P.F. II.]

**S.O. 3756.**—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs K. V. Nathan Metal Works, V.O.C. Road, Karai Kudi, Ramnad District, (Madras State) have agreed that the provisions of the Employees' Provident Funds Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment with effect from the 1st December, 1966.

[No. 8(42)66-P.F. II.]

**S.O. 3757.**—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishments mentioned in the Schedule annexed hereto, have agreed that the provisions of the Employees' Provident Funds Act, 1952 (19 of 1952), should be made applicable to the said establishments;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishments.

This notification shall be deemed to have come into force on the 1st day of January, 1966.

## SCHEDULE

- (1) M/s. Bombay Shipping Company Limited, No. 339, Dadabhoy Naoroji Road, Fort, Bombay-1.
- (2) M/s. SCA Private Limited, Noble Chambers, Parsee Bazar Street, Bombay-1.
- (3) M/s. Selprint No. 111/32, Evergreen Industrial Estate, Off Haines Road, Mahalaxmi, Bombay-11.
- (4) M/s. Kaka Jahann Hoefler Toys India Private Limited, Ishwarbhai Patel Road, Goregaon East, Bombay.
- (5) M/s. Bardai Towing Company, Zakerla Bunder Road, Via Cotton green, Bombay-15.
- (6) M/s. Dee Kay Industries, Lake Road, Bhandup, Bombay-78.
- (7) M/s. Windel Industries, 13-14 (Plot-7), Udyognagar, Swami Vivekanand Road, Goregaon West, Bombay-62.
- (8) M/s. Shaper Engineers, 5-6, (Plot-7), Udyognagar, Swami Vivekanand Road, Goregaon West, Bombay-62.
- (9) M/s. General Electrical Industries, Opp. Five Bunglows, Andheri-Kurla Road, Andheri, Bombay.
- (10) M/s. Poly Profile Corporation, 54, Tardeo Road, Bombay-34.
- (11) M/s. Asha Drewes Dies and Tools Works, Ishwarbhai Patel Road, Goregaon (East) Bombay-62.

[No. 8(2)/66-PF.II.]

**S.O. 3758.**—In exercise of the powers conferred by sub-section (1) of section 13 of the Employees' Provident Funds Act, 1952 (19 of 1952), the Central Government hereby appoints Shri Lala Ram to be an Inspector for the whole of the State of Uttar Pradesh for the purposes of the said Act and of any Scheme framed thereunder, in relation to any establishment belonging to, or under the control of, the Central Government or in relation to any establishment connected with a railway company or a controlled industry.

[No. 20(69)64-PF.I.]

**S.O. 3759.**—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs. A. B. K. Oil Mills, 132/D, Tirukoilur Road, Tiruvannamalai North Arcot District, Madras State have agreed that the provisions of the Employees' Provident Funds Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment with effect from the 1st December, 1966.

[No. 8(35)66-PF-II.]

**S.O. 3760.**—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs. Puresekakum Hindu Sunthatha Sunga Nidhi 1st Branch Limited 'Manorama' No. 38 Vellala Street Purasawalkam Madras-7 have agreed that the provisions of the Employees' Provident Funds Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment with effect from the 1st December, 1966.

[No. 8(39)/66-PF-II.]

**S.O. 3761.**—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs. Reichhold Chemicals India Limited, Kannabiran Koll Street Madhavaram, Madras-60 have agreed that the provisions of the Employees' Provident Funds Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment with effect from the 1st December, 1966.

[No. 8(45)66-PF-II.]

**S.O. 3762.**—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs. Tiruvannamalai Co-operative Marketing Society Limited, Tiruvannamalai, North Arcot District (Madras State) have agreed that the provisions of the Employees' Provident Funds Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment with effect from the 1st December, 1966.

[No. 8(48)66-PF-II.]

**S.O. 3763.**—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs. Sarbhai Group Services Limited, The Retreat, Shahibag Post Box No. 28, Ahmedabad have agreed that the provisions of the Employees' Provident Funds Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment with effect from the 1st December, 1966.

[No. 8(56)66-PF-II.]

**S.O. 3764.**—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs. Mysore Transport and Machinery Company, 2 Ali Askar Road, Bangalore-1 have agreed that the provisions of the Employees' Provident Funds Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the Act, the Central Government hereby applies the provisions of the said Act to the said establishment from the 1st December, 1966.

[No. 8(62)66-PF-II.]

**S.O. 3765.**—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as the North Goa State Transport Co-operative Society Limited, Market Road, Mhaspura, Bardez, Goa have agreed that the provisions of the Employees' Provident Funds Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment with effect from the 1st December, 1966.

[No. 8(63)66-PF-II.]

New Delhi, the 5th December 1966

**S.O. 3766.**—In exercise of the powers conferred by sub-section (3) of section 1 of the Employees' State Insurance Act, 1948 (34 of 1948), the Central Government hereby appoints the 11th day of December, 1966 as the date on which the provisions of Chapter IV (except sections 44 and 45 which have already been brought into force), and chapters V and VI [except sub-section (1) of section 76 and sections 77, 78, 79 and 81 which have already been brought into force] of the said Act shall come into force in the following areas in the State of Bihar, namely :—

1. The areas within the Municipal limits of Ranchi,
2. The areas within the limits of Doranda Notified Area Committee, Ranchi, and
3. The areas within the following revenue villages :—

Name of revenue village	Name of revenue Thana	No. of revenue Thana
1. Nankum . . . . .	Ranchi	214
2. Tati . . . . .	Do.	173
3. Tatisilwai . . . . .	Do.	173 & 174
4. Mahilong . . . . .	Do.	176
5. Ratu . . . . .	Do.	79
6. Garkey . . . . .	Do.	315
7. Konjari . . . . .	Do.	276
8. Simaliya . . . . .	Do.	139
9. Piska . . . . .	Do.	123
10. Sidrol . . . . .	Do.	218

[No. F. 13(14)/66-HI.]  
DALJIT SINGH, Under Secy.

## (Department of Labour and Employment)

New Delhi, the 28th November 1966

**S.O. 3767.**—In exercise of the powers conferred by sub-section (2) of section 33C of the Industrial Disputes Act 1947 (14 of 1947), and in supersession of the notification of the Government of India in the late Ministry of Labour and Employment No. S. O. 1188 dated the 15th April 1963, the Central Government hereby specifies each of the Labour Courts mentioned in column 2 of the Table annexed hereto as the Labour Court which shall decide the amount of money due or the amount at which any benefit referred to in the said sub-section shall be computed in relation to workman employed in any industry for which the Central Government is the appropriate Government and situated in the areas specified in the corresponding entries in column 3 of the said Table.

TABLE

Serial No.	Name of Labour Court	Territorial jurisdiction
1	2	3
1	Labour Court, Hyderabad, constituted under section 7 of the said Act, by the Notification of the Government of India in the Ministry of Labour and Employment, No. S. O. 456, dated the 5th February, 1963.	The State of Andhra Pradesh.
2	Labour Court, Gauhati, constituted under section 7 of the said Act by the Notification of the Government of India in the Ministry of Labour and Employment, No. S. O. 1572, dated the 31st May, 1963.	The State of Assam and the Union Territories of Manipur and Tripura.
3	Labour Court, Dhanbad, constituted under section 7 of the said Act, by the Notification of the Government of India in the Ministry of Labour and Employment No. S. O. 1954, dated the 30th July, 1960.	The State of Bihar.
4	Labour Court, Ahmedabad, constituted under section 7 of the said Act, by the Notification of the Government of India in the Ministry of Labour and Employment No. S. O. 1721, dated the 17th July, 1961.	The State of Gujarat.
5	Labour Court Quilon, constituted under section 7 of the said Act, by the Notification of the Government of India in the Ministry of Labour and Employment No. S.O. 1034, dated the 3rd April, 1962.	The State of Kerala.
6	Labour Court, Jabalpur, constituted under section 7 of the said Act by the Notification of the Government of India in the Ministry of Labour, Employment and Rehabilitation No. S. O. 2748, dated the 6th September, 1966.	The State of Madhya Pradesh.
7	Labour Court, Madras, constituted under section 7 of the said Act, by the Notification of the Government of India in the Ministry of Labour and Employment, No. S. O. 461, dated the 5th February, 1963.	The State of Madras.
8	Labour Court, Bombay, constituted under section 7 of the said Act by the Notification of the Government of India in the Ministry of Labour and Employment No. S. O. 1698, dated the 22nd May, 1965.	The State of Maharashtra and the Union Territory of Goa, Daman and Diu.
9	Labour Court, Bangalore, constituted under section 7 of the said Act, by the Notification of the Government of India in the Ministry of Labour and Employment No. S. O. 459, dated the 5th February, 1963.	The State of Mysore.

10 Labour Court, Bhubaneswar, constituted under section 7 of the said Act, by the Notification of the Government of India in the Ministry of Labour and Employment No. S. O. 1571, dated the 31st May, 1963. The State of Orissa.

11 Labour Court, Jullundur, constituted under section 7 of the said Act, by the Notification of the Government of India in the Ministry of Labour and Employment No. S. O. 458, dated the 5th February, 1963. The State of Punjab.

12 Labour Court, Jaipur, constituted under section 7 of the said Act, by the Government of India in the Ministry of Labour and Employment No. S. O. 1780, dated the 19th June, 1963. The State of Rajasthan.

13 Labour Court, Lucknow, constituted under section 7 of the said Act, by the Government of India in the Ministry of Labour and Employment, No. S. O. 457, dated the 5th February, 1963. The State of Uttar Pradesh.

14 Labour Court, Calcutta, constituted under section 7 of the said Act, by the Notification of the Government of India in the Ministry of Labour, Employment and Rehabilitation No. S. O. 2652, dated the 24th August, 1966. The State of West Bengal.

15 Labour Court, Delhi constituted under section 7 of the said Act, by the Notification of the Government of India in the Ministry of Labour and Employment No. S. O. 782, dated the 1st April, 1959. The Union Territories of Delhi and Himachal Pradesh.

[No. F. 1/67/66-LR.I]

New Delhi, the 29th November 1966

**S.O. 3768.**—In pursuance of section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, Delhi in the Industrial Dispute between the Employers in relation to the Shahdara (Delhi) Saharanpur Light Railway Company Limited and their workmen which was received by the Central Government on the 23rd November, 1966.

BEFORE THE CENTRAL GOVT. INDUSTRIAL TRIBUNAL: DELHI  
PRESENT.

Shri Anand Narain Kaul,  
Central Government Industrial Tribunal,

Delhi.

The 10th November, 1966

REFERENCE I.D. No. 3 OF 1965

BETWEEN

The employers in relation to the Shahdara (Delhi) Saharanpur Light Railway Co. Ltd.

AND

Their Workmen.

Shri Harish Chandra for the management.

Shri Y. D. Sharma for the workmen.

## AWARD

By S.O. dated 17th April, 1965, the Central Government was pleased to refer to this Tribunal for adjudication an industrial dispute existing between the employers in relation to the Shahdara (Delhi) Saharanpur Light Railway Company Ltd., and their workmen. The dispute has been stated as follows in the schedule subjoined to the reference:—

"(1) Whether the management of S.S. Light Railway Co. Ltd., Saharanpur was justified in not paying House Rent Allowance at the rate of 15 per cent of the basic pay to such of the members of the Gang Staff of the Engineering Department, who have not been provided with accommodation?

(2) If not to what relief are the workmen entitled and from what date?"

2. When the matter came up today for hearing before me, the parties reported having arrived at an amicable settlement and a memorandum of settlement was jointly filed by **Shri Harish Chandra** on behalf of the management and **Shri Y. D. Sharma** on behalf of the workmen. Both the above-named representatives verify the terms of the settlement Annexure 'A' and seek an award in terms thereof. I, accordingly, pass an award in terms of the settlement Annexure 'A' which shall form part of the award but only in so far as it is covered by the terms of reference.

(Two pages)

10th November, 1966.

(Sd.) **ANAND NARAIN KAUL**,  
Central Government Industrial Tribunal, Delhi.

## ANNEXURE 'A'

## Memorandum of Statement

## NAME OF PARTIES:

The Shahdara (Delhi) Saharanpur Light Rly. Co. Ltd.  
and its workmen represented by S.S. Railway  
Workers' Union.

## Representing Employers:

Mr. C. S. Mehta, General Manager.  
Mr. L. H. Das, Chief Accounts Officer.  
Mr. S. M. Ray, Chief Personnel Officer.

Martin's Light Railways.

## Representing Workmen:

Mr. Y. D. Sharma, President, S. S. Railway Workers' Union;  
Mr. Deepankar Acharya, Genl. Secretary.

I. D. No. 3 of 1965

I. D. No. 4 of 1966

## Short recital of the case

Along with the agreement on interim relief in the matter of Dearness Allowance signed on 3rd November, 1966 the parties also agreed to settle amicably the disputes under I.D. No. 3 of 1965 and I.D. No. 4 of 1966 relating to House Rent Allowance and Bonus for 1961-62, 1962-63 and 1963-64, during the meeting held on 3rd November, 1966.

## Terms of Settlement

It is agreed that—

(1) The Management will declare the Gang staff of the S.S. Light Railway as "Essential staff" for the purpose of House Rent Allowance with effect from 1st July, 1966 and they will be paid House Rent Allowance with effect from that date as admissible under the service Regulations. An agreement to this effect shall be filed by both the parties before the Central Government Industrial Tribunal, Delhi.

(2) Having examined the accounts for the years 1961-62, 1962-63, and 1963-64, the Union agrees not to press its claim for bonus for the above-mentioned years. An agreement to this effect shall be filed by both the parties before the Central Government Industrial Tribunal, Delhi.

*Signatures of the parties.*

*Representing Employers.*

(Sd.) C. S. MEHTA,  
General Manager,  
The Shahdara (Delhi) Saharanpur  
Light Railway Co. Ltd.

*Representing Workmen.*

(Sd.) Y. D. SHARMA,  
President,  
S. S. Railway Workers' Union.

(Sd.) ACHARYA DEEPPANKAR,  
General Secretary,

S. S. Railway Workers' Union.

Dated: 3rd November, 1966.

[No. 2/11/65/LRIV.]

**S.O. 3769.**—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, Delhi in the Industrial Dispute between the Employers in relation to the Shahdara (Delhi), Saharanpur Light Railway Company Limited and their workmen which was received by the Central Government on the 23rd November, 1966.

**BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL: DELHI.**

**PRESENT:**

Shri Anand Narain Kaul, Central Government Industrial Tribunal, Delhi,

*The 10th November, 1966.*

REFERENCE I.D. No. 4 of 1966,

BETWEEN

The employers in relation to the Shahdara (Delhi), Saharanpur Light Railway Co. Ltd.,

AND

Their Workmen.

Shri Harish Chandra—for the management.

Shri Y. D. Sharma—for the workmen.

**AWARD**

By S.O. dated 10th February, 1966, the Central Government was pleased to refer to this Tribunal for adjudication an industrial dispute existing between the employers in relation to the Shahdara (Delhi) Saharanpur Light Railway Company Ltd., and their workmen. The dispute has been stated as follows in the schedule sub-joined to the reference:—

(1) Whether the demand of the workmen employed by the Shahdara (Delhi) Saharanpur Light Railway Co. Ltd.; for payment of bonus equivalent to two months wages for the years ending on 31st March, 1962, the 31st March, 1963 and the 31st March, 1964 is justified?

(2) If not, to what relief are the workmen entitled?

2. When the matter came up today for hearing before me, the parties reported having arrived at an amicable settlement and a memorandum of Settlement was jointly filed by Shri Harish Chandra on behalf of the management and Shri Y.D. Sharma on behalf of the workmen. Both the above-named representatives verify the terms of the settlement Annexure 'A' and seek an award in terms thereof. I, accordingly, pass an award in terms of the settlement Annexure 'A' which shall form part of the award but only in so far as it is covered by the terms of reference. (Two pages).

10th November, 1966.

(Sd./-) ANAND NARAIN KAUL,  
Central Government Industrial  
Tribunal, Delhi.

## ANNEXURE 'A'

## Memorandum of Statement

NAME OF PARTIES:—The Shahdara (Delhi) Saharanpur Light Rly. Co. Ltd. and its workmen represented by S. S. Railway Workers' Union.

## Representing Employers:

Mr. C. S. Mehta, General Manager,  
Mr. L. H. Das, Chief Accounts Officer.  
Mr. S. M. Ray, Chief Personnel Officer.

Martin's Light Railways.

## Representing Workmen:

Mr. Y. D. Sharma, President, S. S. Railway Workers' Union.  
Mr. Deepankar Acharya, Genl. Secretary.

I.D. No. 3 of 1965  
I.D. No. 4 of 1966

## Short recital of the case

Along with the agreement on interim relief in the matter of Dearness Allowance signed on 3rd November 1966 the parties also agreed to settle amicably the disputes under I.D. No. 3 of 1965 and I.D. No. 4 of 1966 relating to House Rent Allowance and Bonus for 1961-62, 1962-63 and 1963-64, during the meeting held on 3-11-1966.

## Terms of Settlement

It is agreed that—

(1) The Management will declare the Gang staff of the S. S. Light Railway as "Essential staff" for the purpose of House Rent Allowance with effect from 1st July 1966 and they will be paid House Rent Allowance with effect from that date as admissible under the service Regulations. An agreement to this effect shall be filed by both the parties before the Central Govt. Industrial Tribunal, Delhi.

(2) Having examined the accounts for the years 1961-62, 1962-63 and 1963-64, the Union agrees not to press its claim for bonus for the above-mentioned years. An agreement to this effect shall be filed by both the parties before the Central Govt. Industrial Tribunal Delhi.

## Signatures of the parties.

## Representing Employers.

Sd/- C. S. MEHTA,  
General Manager,

The Shahdara (Delhi) Saharanpur  
Light Railway Co. Ltd.

Dated 3rd November, 1966.

## Representing Workmen..

Sd/- Y. D. SHARMA,  
President,

S. S. Railway Workers' Union.

Sd/- ACHARYA DEEPAKAR,  
General Secretary,

S. S. Railway Workers' Union.

[No. 2/28/65-LRIV.]

New Delhi, the 30th November 1966

S.O. 3770.—The Central Government hereby publishes the following decision of the Industrial Tribunal, Lucknow in respect of the matter referred to it under section 36A of the Industrial Disputes Act, 1947 by the order of the Government of India in the Ministry of Labour and Employment No. S.O. 678, dated the 26th February, 1966 seeking correct interpretation of the provisions of the award of the

National Industrial Tribunal (Bank Disputes), Bombay, relating to grant of accident leave.

DECISION

BEFORE THE INDUSTRIAL TRIBUNAL (CENTRAL) AT LUCKNOW.

PRESENT:

Sri J. K. Tandon—*Presiding Officer.*

ADJ. CASE NO. (CENTRAL) 2/65

In the matter of an industrial dispute between the concern known as M/s. Reserve Bank of India.

*Versus*

Their Workmen.

APPEARANCES:

For the employers—1. Sri N. S. Narayananachari, Deputy Legal Adviser, Legal Department, Central Office, Reserve Bank of India, Bombay.

For the workmen—1. Sri P. C. Jain, State Executive Member of the U.P. Bank Employees Union Central Office, Lucknow.

2. Sri Bindhyachal Singh, Chief Secretary, Reserve Bank 'D' Class Employees Union, Kanpur.

INDUSTRY: Bank

STATE: Bombay/Kanpur

Dated, June 18, 1966.

ORDER

(Referred for adjudication vide Central Government Order No. 55(25)/64-LRIV dated the 26th February 1966 under Sections 7-A and 36A of the Industrial Disputes Act, 1947 (14 of 1947).

This is a reference under Section 36A of the Industrial Disputes Act, 1947 (Act 14 of 1947). The question sent to this Tribunal has been formulated thus:—

SCHEDULE

"Whether the relief awarded by the National Industrial Tribunal, in relation to accident leave, in para 20.13 of its award published in the Gazette of India Extraordinary Part II, Section 3, sub-section (ii), dated the 29th September 1962, with S.O. No. 3031, dated 22nd September, 1962, is admissible to all class IV employees of the Reserve Bank who sustain injuries in the course of their duties or only to such employees of that class who are working on machines for punching or stitching of notes etc.?

2. Para 20.13 referred to in the above question is as follows:—

"When an employee sustains injury in the course of his duties and when accident leave is granted to him for the period for which leave is medically certified to be necessary for recovery from the injury, an employee should as far as possible be free from the worry of maintaining his family when he needs rest and has to recuperate. In my view, it is fair that when such leave is granted the same should, for the first four months thereof, be on full pay and allowances instead of on half average pay, and I direct accordingly. As regards leave for the rest of the period the present provisions will apply."

3. The Reserve Bank claims that the above para has laid-down that the accident leave, as it has been named, will be granted on full pay and allowances for the first four months thereof in the case of employees working on machines for punching and stitching of notes etc., and not to employees of Class IV generally. The workmen, on the contrary, urge that the benefit conferred by the para covered the case of all Class IV employees. The Central Government being of the opinion that a difference existed as to the interpretation of the para, referred the above question for decision by this Tribunal.

4. In order that the respective contentions of the two parties may be carefully judged, it will be necessary to refer to some of the preceding paragraphs under the description "Accident Leave" which are as follows:—

"20.9. A Class IV employee working on machines for punching or stitching of notes etc. who sustains injuries in the course of his duties has the

option either to avail himself of ordinary or sick leave as admissible under the staff regulations or to apply for the grant of Accident Leave on half average pay. Accident Leave is granted for the period for which leave is medically certified to be necessary for recovery from the injury. Accident Leave may be sanctioned in combination with or in continuation of leave of any kind admissible to the employee, if so desired by him. No limit is placed on the duration of Accident Leave. It is further stated that in a couple of recent cases where the employees sustained injuries while on duty (lifting loads etc.) it had been decided by the Bank to treat their absence as special casual leave (with full pay and allowances) to the extent admissible under Staff Regulation provides that notwithstanding anything contained in sub-regulation (i) of regulation 90 relating to casual leave, the Governor may 'permit the grant of casual leave without being subject to all or any of the limitations laid down in sub-regulation (1) when there are other exceptional circumstances necessitating the grant of casual leave in excess of the prescribed limits; provided that the total period of casual leave granted to an employee in any one calendar year shall in no case exceed 30 days, and if the grant of casual leave under this sub-regulation shall result in the total period being extended beyond 30 days, any period of absence in excess of 30 days shall be treated, subject to the provisions of the proviso to Regulation 91 as ordinary, sick, special or extraordinary leave, as the employee concerned may request.'

*Explanation.*—In computing casual leave, intervening public holidays shall not be reckoned as days of casual leave.

- 20.10. The Reserve Bank has further stated that certain categories of employees in the Bank such as liftmen, bullion van/car drivers, electricians etc., who, by virtue of the duties performed by them are classified as workmen under the Workmen's Compensation Act are eligible for compensation and leave allowances in case of accident while on duty, in accordance with the terms of the said Act.
- 20.11. The Union has claimed that when an employee is involved in an accident while on duty, he should be granted accident leave with full pay and allowances till his complete recovery and the period of such absence should in no case be adjusted against any other kind of leave and all the service benefits should remain unaffected during the period of Accident Leave.
- 20.12. The Reserve Bank in reply has pleaded that Accident Leave is at present granted on half average pay and allowances on the recommendation of the Bank's Medical Officer, that this leave is not adjusted against any other kind of leave that the present practice is fair and reasonable and that the demand should be rejected.
- 20.13. When an employee sustains injury in the course of his duties and when Accident Leave is granted to him for the period for which leave is medically certified to be necessary for recovery from the injury, an employee should as far as possible be free from the worry of maintaining his family when he needs rest and has to recuperate. In my view, it is fair that when such leave is granted the same should, for the first four months thereof, be on full pay and allowances instead of on half average pay, and I direct accordingly. As regards leave for the rest of the period the present provisions will apply."

5. Paragraph 20.9 contains the position in connection with Accident Leave existing at the time of the hearing by the National Industrial Tribunal presided over by Shri Justice K. T. Desai. Para 20.10 stated the fact that certain categories of employees described therein and were classified as workmen under the Workmen's Compensation Act where eligible in those days for compensation and leave allowances in the event of accident while on duty. The compensation payable to them was in accordance with the terms of the Workmen's Compensation Act. The next para i.e. 20.11 described the claim put forward by the workers union. The same was to the effect that when an employee was involved in an accident while on duty he ought to be granted leave with full pay and allowances till his complete recovery. The workmen also asked that the period of such absence should not be adjusted against any account of leave etc. In para 20.12 the Bank's reply has been stated, namely, that the Accident Leave was granted on half average pay and allowances and it was done on the recommendation of the Bank's Medical

Officer. The Bank further pointed out that this leave was not adjustable against any other account of leave. In the view of the Bank there was no occasion to interfere with the existing practice.

6. Thereafter comes paragraph 20.13 wherein the learned Judge incorporated his decision. This paragraph may be split into two parts; the first part has stated the fact of the employee sustaining injury in the course of his duty and next the fact of Accident Leave being granted to him for the period for which the Medical Officer has certified to be necessary for recovery from the injury. Here the learned Judge has described his reason for the decision which he was going to record, namely,

"in my view, it is fair that when such leave is granted the same should, for the first four months thereof, be on full pay and allowances instead of on half average pay, and I direct accordingly. As regards leave for the rest of the period the present provisions will apply".

The controversy that has arisen as is to the true *ambit qua* workmen belonging to Class IV, of the above decision by the learned Judge.

7. The representative for the workmen has contended that their claim before the National Tribunal was with reference to employee generally and by expression "employee" they intended to include all the employees of the Class IV including employees working on machines for punching and stitching of notes hence the learned Judge by giving his decision must be deemed to have conferred the benefit on all those employees. That is the facility or the privilege given by him was limited to employees working on machines for punching and stitching of notes etc. alone. In other words, it covered the case of all Class IV employees.

8. The Bank has in its turn urged that the learned Judge never sought to enlarge the category of workmen as were at that time entitled to or allowed the facility of Accident Leave. He left this question untouched but simply decided that once Accident Leave was granted—to whom it shall be granted and when it shall be granted he did not attempt to decide—the same shall be for four months on full pay and allowances instead of as in the past on half average pay. In support the learned representative for the Bank further depended on the following sentence appearing at the end of the paragraph:—

"As regards leave for rest of the period the present provisions will apply".

The argument is that if the learned Judge really wanted to decide the categories also which shall be entitled to Accident Leave or to special casual leave or to leave under the Workmen's Compensation Act—their instances were quoted in earlier paragraphs 20.9 and 20.10—he would have said so in his decision.

9. It would be noticed that in para 20.9 and 20.10, the factual position, as it existed at the time, was stated. In para 20.11 however, the claim of the union in connection with Accident Leave was stated. A plain pleading of the same would show that the union had asked that where an employee was involved in an accident while on duty he should be extended leave with full pay and allowances till his complete recovery and that the period of his absence should not be adjusted against any kind of leave. The Union further wanted that all service benefits should remain unaffected during the period of his absence.

10. In para 20.12 the Bank's reply has been reproduced and it is;

"that accident leave is at present granted on half average pay and allowances on the recommendation of the Bank's Medical Officers, that this leave is not adjusted against any other kind of leave, that the present practice is fair and reasonable and that the demand should be rejected."

11. Paras 20.11 and 20.12 while stating the respective versions of the two parties also give out the particular questions on which there was difference between them. On the question of adjustment of what is described as Accident Leave against any other kind of leave which might be admissible to an employee, there is no difference between the parties. The difference, however, is on whether it should be leave with full pay and allowances until his complete recovery or should it be leave on half average pay and allowances in accordance with the recommendation of the Bank's Medical Officer.

12. It is in this context and back-ground that para 20.13 will require to be read and construed. In the first portion of the para the learned Judge incorporated his

reasons for the decision which he incorporated in the second portion. Then followed the decision itself, namely, that when such leave is granted the same should, for the first four months thereof, be on full pay and allowances instead of on half average pay. It is significant that though speaking that when such leave is granted the same should be on full pay and allowances for four months nothing was said as to the categories to whom the leave might be admissible. It however, was contended by the learned representative for the workmen that it was unnecessary, firstly, for the reason that the expression "employee" used earlier in the paragraph covered the case of all employees of class IV, and, secondly "Accident Leave" is leave becoming necessary consequent upon the employee suffering from injury etc. in some accident.

13. In my opinion the above argument does not and cannot sustain the interpretation sought to be placed by him, namely, that the Accident Leave itself will, in future, notwithstanding the past restricted application, be eligible to all class IV employees. The history of accident leave, as is briefly stated in paras 20.9 and 20.10 started with the case of class IV employees working on machines for punching and stitching of notes etc. In the case of employees working otherwise on these machines, like leave was sanctioned when they sustained injury in the course of their work but its nature and description was different. Had the learned Judge intended to enlarge the scope of eligibility for Accident Leave, naturally he should have said so. The following words in para 13.12 namely,

"As regards leave for the rest of the period the present provisions will apply".

rule out the possibility of the interpretation sought to be proposed by the workmen. As has been pointed out by the Bank a number of anomalies would arise which, however, could not be the intention.

14. My answer to the question sent by the Central Government will, therefore, be that para 20.13 left undisturbed, whether by way of enlarging or by restricting the categories of workmen which were entitled to Accident Leave. On the contrary the decision was that when such leave was granted the same would for the first four months thereof be on full pay and allowances instead of on half average pay. The quantum of leave allowance as distinguished from the persons who would be entitled to them has been decided.

Dated 18-6-1966.

Sd./-J.K. TANDON,  
Presiding Officer (Central).  
[No. F. 55(85)/64-LRIV.]

New Delhi, the 2nd December 1966

**S.O. 3771.**—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal, Dhanbad, in the matter of an application under section 33A of the said Act, from Shri Sonee son of Gopi and 37 others, Mine workers of Nawegaon Hiwara Mine, District Bhandara, Nagpur, which was received by the Central Government on the 23rd November, 1966.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL AT  
DHANBAD

In the matter of a Complaint under Sec. 33A of the Industrial Disputes Act, 1947.

COMPLAINT No. 79 of 1962

(Arising out of Ref. No. 6 of 1955)

PARTIES:

Shri Sonee S/o. Gopi & 37 others, Mine Workers of Nawegaon Hiwara Mine.  
Dist. Bhandara, Nagpur. *Complainants.*

*Verses*

M/s. D' Costa Brothers, Mine Proprietors, Mohan Nagar, Nagpur.

*Opposite Party.*

PRESENT:

Shri Raj Kishore Prasad, M.A., B.L., (Retired Judge, Patna High Court),  
*Presiding Officer.*

APPEARANCES:

For the Complainants—Sarvashri N. H. Kumbhare, Advocate, and W. D. Sagadeo, General Secretary of the Union.

For the Employer Opposite Party—Shri S. J. Chawda, Advocate, Nagpur, Camp: Nagpur, dated the 30th August 1966.

AWARD

This complaint was made under Sec. 33A of The Industrial Disputes Act, 1947 (hereinafter referred to as 'the Act') by 38 mine workers of *Nawegaon Hiwara Mine*, Tahsel and District, Bhandara, owned and worked by the opposite party, on 17th December, 1962 in Reference No. 6 of 1955 complaining that they worked in the mine upto 29th August, 1960, but, thereafter, they were not allowed to work in the mine on and after the 30th August 1960 because they approached the Mine Manager on 30th August, 1960 with the request to increase the rates of wages to Rs. 1.62 per day per head which was fixed as minimum wages, which was turned down by the Manager and which annoyed him, but the complainant attended the work daily for about two weeks but they were refused employment and as such on 11th September, 1960 they served a notice on the opposite party but in spite of it neither any work was given nor any reply was sent to the notice by the opposite party nor the opposite party obtained express permission in writing of the Tribunal, to remove the petitioners nor they have been paid wages for one month and as such there has been a clear contravention of Sec. 33 of the Act.

2. The opposite party appeared and filed a written statement on 2nd May, 1963 in which the management denied that they prohibited the complainants from working in the mine and said that as a matter of fact the complainants themselves abandoned work as they secured alternative jobs elsewhere. The management, thereafter, stated that the union of the complainants made a complaint to the R.L.C.(C), Bombay and also to the Conciliation Officer (C), Nagpur that they were not allowed to work by the management opposite party and the R.L.C. (C) on 14th September 1960 took up the matter in conciliation and a settlement was arrived at, which is *Ext. M*; that in spite of the above settlement by which the complainants agreed to resume work forthwith, they did not resume the duties but they made a further complaint to the Conciliation Officer (C) on 19th September, 1960 and before the Conciliation Officer (C) also the management stated that they were prepared to allow the complainants to resume their duties but the complainants did not agree to this reasonable proposal of the management and, therefore, the conciliation proceedings failed and the failure report was sent by the Conciliation Officer (C) on 15th November, 1960, which is *Ext. M 1*; that, thereafter, the Government of India also informed by *Ext. M 2*, both the parties that they do not consider the dispute fit for a reference to an Industrial Tribunal for adjudication because it has been established that the workmen have abandoned work themselves, and, moreover, the offer of the management to take them back in service with benefit of continuity of service was not accepted by them; that the complainants made an application *Ext. M 3* on 6th January, 1961 or thereabout to the Court of the Civil Judge under the Payment of Wages Act claiming compensation, and the written statement to the said application filed by the opposite party is *Ext. M 4*; that the learned Joint Civil Judge (Junior Division) the Authority under Payment of Wages Act at Bhandara by its judgment dated 26th February, 1962 (*Ext. M 5*) dismissed the application of the complainants holding that the workers absented themselves from work and it is admitted by both parties that an appeal against the said order was also dismissed; that, therefore, it was contended by the management that the complaints are not maintainable and should be dismissed.

3. It may be mentioned that on 26th August 1966 the management filed a petition, mentioning certain grounds by way of preliminary objections. These objections were: (i) that this Tribunal has no jurisdiction to try the present dispute, as Reference No. 6 of 1955 was at no point of time pending before it because it was never referred to it for adjudication and on the service of Shri P. S. Bindra having ceased, the Tribunal constituted by Shri Bindra came to an end; (ii) that no dispute in respect of Reference No. 6 of 1955 was pending also in view of the settlement dated 16/19th November 1957 entered into by the Mineral Industry Association on behalf of the management opposite party and other mine owners with all unions. It may be mentioned here that this settlement has not been filed before the Tribunal and therefore, it is not on the record; (iii) that M/s. Jayantibhai and Co., Dharampeth, Nagpur, has been appointed Receiver of the Mine in question by the

Court of Civil Judge, Senior Division, Nagpur, in C.S. No. 4 and 5/63, and, therefore the Receiver is a necessary party to the proceedings and, (iv) that one application on behalf of all the thirty-eight workmen is not maintainable and, therefore, there should have been 38 complaints by these 38 workmen.

4. When the case was taken up at Nagpur S/Shri N. H. Kumbhare, Advocate, and, W. D. Sagadeo, General Secretary of the union, appeared for the complainants and S/Shri B. A. Udhoji and S. J. Chawda, Advocates, appeared for the management opposite party.

Documents filed by the opposite party, along with their written statement, were marked *Exhibits M to M 5*. After the close of the arguments when award was reserved some time later on behalf of the management two documents were filed which with the consent of *Shri N. H. Kumbhare, Advocate for the complainants*, as will appear from Order No. 11 dated 29th August 1966, were taken in evidence and marked *Ext. M 6 and M 7*.

The complainants also filed documents which were marked *Ext. W to W8*.

None of the parties examined any witness but they put forward their arguments in support of their respective contentions.

#### *Preliminary objections.*

5. I may dispose of the preliminary objections first. The records of Reference No. 6 of 1955 are not with me on tour at Nagpur as that reference was not fixed for hearing because it was referred in the Patna High Court by both parties to the arbitration of the then Labour Minister Shri D. Sanjivayya and on that ground the writ applications filed against the order of my predecessor Shri Salim M. Merchant, rejecting this very preliminary objection that he has no jurisdiction to try the reference on the ground which is urged now and holding that he has jurisdiction to try the same were withdrawn. On the two Writ Applications being admitted the Patna High Court stayed the further proceedings of the Tribunal, but when they were withdrawn in April or May, 1966, Reference No. 6 of 1955 already remained undisposed of so long for almost eleven years. On enquiry from Shri D. Sanjivayya, if he has given his award, the Tribunal was informed that he refused to arbitrate, but he has referred the matter to the Chief Labour Commissioner. The matter, therefore, rests there. On enquiry from the Chief Labour Commissioner, Delhi, to whom a letter has been written if I know that he has not got Reference No. 6 of 1955 settled, it will be fixed for final hearing next time. For these reasons, I am unable to give the date on which the order was passed by Shri Salim M. Merchant over-ruling the preliminary objection taken now but as I have read that order—I remember quite distinctly that such objections were taken and he has over-ruled those objections and held that he has jurisdiction to try the dispute. I may however mention that after Shri Bindra, the dispute was referred to Shri G. Palit, Presiding Officer of the Central Government Industrial Tribunal, Dhanbad and, after his premature death in January, 1961, it was taken up by Shri Salim M. Merchant when he was appointed to decide all the cases from the stage at which he left. It is, therefore, not correct to say that the Tribunal ended when Shri Bindra ceased to function, because, thereafter, the matter was referred to Shri Palit by the Government. None of the parties have filed a copy of the order of Shri Salim M. Merchant on this question but as I know about it I have mentioned about it. In face of that order which is binding on both the parties it is not open to the management to re-agitate the matter simply because the Tribunal is presided over by a new Presiding Officer. When these facts were brought to the notice of Shri Chawda, who appeared for the management and who did not appear to know the facts stated above, he practically conceded that their this preliminary objection has no force. It was further contended by Shri Chawda in this connection that this complaint could not be heard by me because it has not been referred to me. I think there is a fallacy in this contention. This complaint was filed on 17th December 1962 before me when I was the Presiding Officer of the Tribunal and when Reference 6 of 1955 was pending before me and which under Section 8 of the Act I had jurisdiction to dispose of but because it was stayed by the Patna High Court I could not dispose it of so long. There is, therefore, no merit in these objections.

6. As regards the second objection that no dispute in respect of Reference No. 6 of 1955 was pending in view of the settlement dated 16/19.11.57: the first answer is that the settlement referred to has not been filed and, therefore, the Tribunal is not in a position to know as to whether such a settlement was made and if so, what was its nature. The second answer is that this objection could be taken in the

main Reference No. 6 of 1955 itself and not in the present complaint, which has been filed in Reference No. 6 of 1955, which was certainly pending when the present complaint was made and which is still pending and it is not yet disposed of, although it is pending since 1955, due to various reasons, one of which is that the matter was taken from one High Court to another. The second objection, therefore, is also rejected.

7. The *third objection* has also no force. The Receiver has not appeared personally or through an Advocate and made a petition for being added as a party nor the complainants have made an application to make the Receiver a party inspite of knowing that such a Receiver has been appointed. The complainants took the risk of proceeding with the complaint without adding the Receiver as party. I pointedly asked Shri Kumbhare, Advocate for the complainants, if any relief, assuming it is granted to the complaints, would it be effective without the Receiver and Shri Kumbhare replied that it would be and it would be enforced against the Receiver through the Court. In the circumstances, I do not think the Tribunal was bound of its own accord, against the wishes of the complainants, to make the Receiver a party to the complaint when the complainants themselves evince no desire to do so and when the Receiver does not appear and make an application to be made a party to the complaints. Whatever be the consequences of not adding the Receiver a party will be suffered by the complainants for which they alone are responsible. Moreover, the management have not mentioned as to when the Receiver was appointed nor have they filed a copy of the order appointing the Receiver or the terms of his appointment and the scope of his appointment. However, be that as it may, in the circumstances, the Receiver cannot be added as a party. I cannot force the complainants to make the Receiver a party.

8. There is no substance in the *last objection* also, because under the Law there is no prohibition that one complaint cannot be filed by several workmen jointly. The fact, therefore, that one complaint has been filed by 38 workmen, when all the 38 workmen have put their signatures on the complaint, in my opinion, is quite sufficient in law and the complaint on that ground does not become incompetent.

All the preliminary objections are, therefore, rejected.

9. Before I deal with the merits, I may mention one fact. There was a talk of compromise between the parties but unfortunately it failed. The complainants wanted to be paid *ex gratia* at the rate of Rs. 50/- per complainant, but on behalf of the management, rather on behalf of the Receiver, it was stated by Shri Chawda, Advocate, who appeared for the management, that the Receiver was not prepared to pay more than Rs. 20/- per complainant, and, therefore, the compromise failed. The reason why the management wanted to pay Rs. 20/- per complainant is that in the other case—Complaint No. 4 of 63 the complainants had agreed to accept Rs. 20/- per complainant and the Receiver had also agreed to pay the said amount, but, subsequently the complainant refused the payment on the ground that it was too low. I also thought over the matter and came to the conclusion that this low sum of Rs. 20/- was really shocking to the conscience, and, therefore, I did not accept the compromise because it was quite unfair and unjust to the workmen, as it would amount to an unconsiderable bargain and, therefore, the complainants were justified in not accepting Rs. 20/- per complainant. The management, however, did not budge an inch from the stand taken by them and, therefore, the compromise failed.

10. I may also dispose of another short point taken by Shri Chawda on behalf of the management. He contended that complainants Nos. 1 to 10, 17, 19, 22, 24 to 26, 29 to 31 and 36 had received their Provident Fund and got claim discharge and, therefore, they were stopped from maintaining their complaints. The fact that the above complainants have got their money due to them from the management will not debar them in law from pursuing their legal rights and from proceeding with this complaint. Shri Chawda did not cite any authority in support of his contention. Acceptance of the payments must be deemed to be under protest and subject to their legal right to proceed with the complaint. In my opinion, there is no force in this objection as well. Payments made, if any, can be deducted from the wages if the complaints succeed.

#### *On merits*

11. The dispute between the parties is very short and lies within a very narrow campus and it may be stated thus: The management state that they are, and have been always, ready to allow the complainants to resume their duties, but the complainants themselves, even inspite of the settlement dated 4th September 1960 *Ext.*

M, did not resume duties, and, therefore, it was not correct to say that the management prevented them from working in the mine rather the fact was that the complainants themselves abandoned the work as they had got work elsewhere. It was also said by the management that the Mine at present was closed since 1960, and, therefore, now there was no question of allowing the complainants to resume duties in the Mine. According to the complainants, however, the Mine was closed only for six months from November-December 1960 to June, 1961, and, thereafter, and till now, the Mine is working and, therefore, the management can allow the complainants who are, and who have previously also been always ready to resume their duties but they have not been allowed to resume work simply because they have demanded increased wages, and, therefore, it is false to say that the complainants themselves abandoned their services. The complainants also alleged that their services have been terminated arbitrarily without serving them with any charge-sheet and without holding any enquiry and, therefore, they are entitled to be reinstated to their previous jobs.

12. On the above rival contentions of the parties the two questions which emerge for decision are:

(i) Is the Mine closed at present, and, if so, since when? and,

(ii) Did the complainants present themselves to resume duties, but they were not allowed to resume their duties by the management?

13. As regards the first question, the best evidence would have been the letter sent by the management, which is required under the law under The Mines Act, 1952, to be sent to the Chief Inspector of Mines, when a mine is abandoned or is closed or when it is to be re-opened, and which is admitted to have been sent to the Chief Inspector of Mines, but in spite of the Tribunal insisting on the management to file the said letter it was not filed, although sufficient opportunity was given to do so on the pretext that the said letter was in possession of the Receiver. If the Receiver could be contacted and could give his consent to the payment of Rs. 20/- to each of the complainants in Complaint No. 4 of 63 by the management in the present case, who are also the management in the other case, I am surprised what difficulty there was in not obtaining the letter sent to the Chief Inspector of Mines or even its copy showing if the mine was closed and if so, when it was closed, and why, and when the Chief Inspector of Mines was informed under the Mines Act of its closure. In the absence of the best evidence which in law must be in possession of the opposite party and which is admitted to be in possession of the management, but now of the Receiver, according to the opposite party, it was the duty of the management opposite party to produce it but the management deliberately withheld it because if produced it would have supported the case of the complainants that the mine was actually working and it is not closed now. I am constrained to hold for paucity of evidence on behalf of the management that the mine is not closed and, therefore, I accept the case of the complainants that the mine was closed only for six months from November-December 1960 to June 1961 following the trouble which started on 10th August 1960 and since after June 1961 till now the mine is working regularly.

14. As regards the second question as to whether it is a fact that the management was willing to allow these complainants to resume duty but the complainants themselves did not present themselves to resume duties, in order to test the truth of the version of the management I put a question, as an acid test, to Shri Chawda, Advocate, representing the management, and asked him if it is a fact that the management were and have always been willing to allow these complainants to work in the mine, are the management even now willing to give work to the complainants if they present themselves for work in the mine? To this question put by the Tribunal Shri Chawda after enquiry from his client's Agents who were present in court was not in a position straightway to answer in the affirmative or in the negative, but he tried to circumvent the reply by saying that now the responsibility was of the Receiver and unless the Receiver was made a party, there was no good for the management, which originally were party to the dispute and which still continued to be a party to the dispute, to make any commitment on that question. This attitude, of the management, when cornered by the Tribunal, speaks for itself and it demonstrates fully that it were the management which were not giving work to the complainants and they set up the false plea that the complainants themselves abandoned their work because they got work elsewhere.

15. Shri Chawda again and again relied on the settlement dated the 14th September 1960 Ext. M; on the report of the Conciliation Officer (C), Ext. M 1, on the Government letter Ext. M 2; on the judgement under the Payment of Wages Act Ext. M 5; on Ext. M 6 letter dated the 20th September 1960 written

by a partner of the management to (the authority of which is not admitted by complainants); and on *Ext. M* 7 copy of a letter dated 21st September 1960 by the management to the Regional Labour Commissioner informing both Conciliation Officer and Regional Labour Commissioner that workmen did not turn up for work, and, contended that these operate as *res-judicata* and, therefore, it should be held that the complainants themselves abandoned services and they never presented to resume duties in accordance with the settlement *Ext. M* and as observed by the Government letter *Ext. M* 2. I regret none of these documents operate as *res-judicata* as the principles of *res-judicata* in terms do not apply to industrial adjudication. Moreover, neither the Conciliation Officer (C) nor the Authority under the Payment of Wages Act are authorities of concurrent competent jurisdiction, having any jurisdiction to decide industrial dispute under the Act as this Tribunal has. No order, therefore, of Conciliation Officer or under the Payment of Wages Act or of Government will be binding on this Tribunal and as such the Tribunal is not bound by either the report of the Conciliation Officer (C) *Ext. M* 1 or by the letter of the Government *Ext. M* 2 and the observations therein or by the judgement of the Authority under Payment of Wages Act *Ext. M* 5, and, therefore, the Tribunal has jurisdiction independently of those documents to come to its own conclusion on the evidence adduced before it and to accept or to reject the case of the complainants. It is very difficult to accept *Exts. M* 6 and *M* 7, copies of the letters alleged to have been sent to Conciliation Officer and Regional Labour Commissioner in the absence of registered receipts or acknowledgment receipts or their originals because they were filed after the arguments had been concluded after a long time without showing any cause for the delay. I confess, I am not at all impressed with the genuineness of *Exts. M* 6 and *M* 7 in these circumstances. Except the above documents, just referred to, there is no other evidence on behalf of the management.

As against the above documents of the management, the complainants have filed *Ext. W* telegram dated the 14th August 1960 sent by workers to the management complaining for not being allowed to work; *Ext. W* 1 dated the 16th August 1960 is a reply to *Ext. W*; *Ext. W* 2 is a letter dated the 6th August 1960 sent by the workers to the Manager complaining again for being refused work; *Ext. W* 3 dated the 11th September, 1960 is a legal notice given by an Advocate on behalf of the complainants to the management complaining that the complainants were not given work. After this there was a settlement dated the 14th September 1960 before the Regional Labour Commissioner (C) *Ext. M* according to which the workers concerned were to resume work forthwith but according to the management they did not go to resume work, and according to the complainants they were not allowed to work, as will appear from their letter dated the 24th November 1960 sent by these complainants *Ext. W* 4 to the Chief Labour Commissioner, to the Chief Inspector of Mines and to the Secretary, Government of India, Labour Department, complaining that they are not being allowed to resume work in spite of the compromise. *Exts. W* 5 and *W* 6 are the registration receipts of the registered letters sent to the Chief Labour Commissioner and to the Secretary, Government of India, Ministry of Labour and *Ext. W* 7 is the acknowledgment receipt from the Chief Labour Commissioner of having received the registered letter *Ext. W* 4. *Ext. W* 4, therefore, makes clear that according to the compromise *Ext. M* the workers went to resume work on 15th September 1960 and also on 16th September 1960 but they were not given any work. *Exts. M* 6 and *M* 7 filed after arguments obviously to meet *Ext. W* 4 cannot be accepted as genuine in the absence of the original or registration receipt therefor. The allegation, therefore, of the management that in spite of the settlement *Ext. M* dated the 14th September 1960 the complainants did not report for work is falsified by *Ext. W* 4, which I have no reason to reject. *Ext. W* 8 is a notice dated 4th September 1960 put up by the management on the Notice Board but I do not think it is of much assistance in deciding the points at issue.

I, therefore, accept the case of the complainants that they reported for work and went to resume work but they were not allowed to work by the management. I, therefore, answer the second question in favour of the complainants by holding that they went and reported on 15th September 1960 and 16th September 1960 after the settlement *Ext. M* and, thereafter also to resume work to the management but they were not allowed to work in the mine as before on and from the 30th August 1960, because they wanted increase of the rate of wages.

16. The complainants were refused work and removed from services arbitrarily without issuing any charge-shehet, and without any enquiry into it on the false ground that they themselves abandoned their services which story is false. The management did so without the permission of the Tribunal in spite

of the fact that Reference No. 6 of 1956 was pending before the Tribunal and without paying wages for one month and without making any application even for approval to this Tribunal. For these reasons, there is no doubt that the management contravened the provisions of Sec. 33 of the Act which entitled the workmen to make the present complaint.

17. The result, therefore, is that the complaint is allowed and the complainants are reinstated to their previous jobs with effect from 30th August 1960, since when they are not being allowed to work in the mine, which is still working, except for the period from November 1960 to June, 1961 when it was closed, and therefore these complainants are entitled to their full wages from the 30th August 1960 till the date of their reinstatement at the rate of Rs. 1.62 paise per day per head as demanded by them besides bonus and other monetary benefits with continuity of service, but for the period from November 1960 to June 1961 for six months, during which period the mine was closed, the complainants will get their wages at half the full rate, that is, at the rate of .81 paise per day per head. If these complainants have been paid any money it will be deducted.

18. This award must be implemented within one month from the date the award becomes enforceable under Section 17A of the Act after its publication under Section 17 of the Act.

19. This is the award which I make and submit to the Central Government Under Sec. 15 of the Act.

(Sd.) RAJ KISHORE PRASAD,  
Presiding Officer.  
[No. F. 35/24/66-LRI.]

#### ORDERS

New Delhi, the 26th November 1966

S.O. 3772.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the Indian Overseas Bank Ltd., and their workmen in respect of the matter specified in the Schedule hereto annexed;

And whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Industrial Tribunal, Delhi constituted under section 7A of the said Act.

#### SCHEDULE

Whether the suspension of Sarvashri J. K. Sehgal, M. B. Jain, J. P. Rohtagi and Rajkumar and the disciplinary action taken against them by the management of Indian Overseas Bank Ltd., constitute an act of victimisation or unfair labour practice and, if so, to what relief are the workmen entitled?

[No. 51(46)/66-LRIV.]

New Delhi, the 29th November 1966

S.O. 3773.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the Punjab National Bank Limited and their workmen in respect of the matter specified in the Schedule hereto annexed;

And whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Industrial Tribunal, Delhi constituted under section 7A of the said Act.

#### SCHEDULE

Whether having regard to the settlement dated 24th April 1962 arrived at before Chief Labour Commissioner (Central), New Delhi, the action of

the management of the Punjab National Bank Ltd., H.O. New Delhi, in reverting Shri S. L. Khatur, Supervisor, Sambharlak branch with effect from 19th October 1963 was justified? If not, to what relief is the workmen entitled?

[No. 51(50)/66-LRIV.]

New Delhi, the 2nd December 1966

**S.O. 3774.**—Whereas, consequent on the transfer of Shri M. Abdul Azeez, a vacancy has occurred in the office of the Presiding Officer of the Labour Court, at Madras, constituted by the Notification of the Government of India in the Ministry of Labour and Employment, No. S.O. 461, dated the 5th February, 1963;

Now, therefore, in pursuance of the provisions of section 8 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby appoints Shri E. Gonsalves a Presiding Officer of the Labour Court constituted as aforesaid.

[No. F. 1/76/66-LR. I.]

**S.O. 3775.**—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to Messrs. Bombay Licensed Measurers Limited, Bombay and their workmen in respect of the matters specified in the Schedule hereto annexed;

And whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Industrial Tribunal, Bombay constituted under section 7A of the said Act.

#### SCHEDULE

1. Whether benefits in the nature of provident funds, gratuity and medical facilities available to the Dock employees of Messrs. Bombay Licensed Measurers Ltd. are less favourable than like benefits available to other Dock Employees?
2. If so, to what relief are the workmen entitled?

[No. 28(93)/66-LR. IV.]

A. L. HANNA, Under Secy.

#### (Department of Labour and Employment)

New Delhi, the 30th November 1966

**S.O. 3776/PWA/Air Services/Rules/66.**—The following draft of the rules, which the Central Government proposes to make in exercise of the powers conferred by sub-sections (2), (3) and (4) of section 26, read with section 24, of the Payment of Wages Act, 1936 (4 of 1936), is hereby published as required by sub-section (5) of section 26 of the said Act and notice is hereby given that the said draft will be taken into consideration on or after the 10th March, 1967.

2. Any objections or suggestions which may be received from any person with respect to the said draft before the date so specified will be considered by the Central Government. The objections or suggestions may be addressed to the Secretary to the Government of India, Ministry of Labour, Employment and Rehabilitation, Department of Labour and Employment, Shram-Shakti Bhavan, Rafi Marg, New Delhi-1.

#### DRAFT RULES

1. **Short title, application and extent.**—(1) These rules may be called the Payment of Wages (Air Transport Services) Rules, 1966.

(2) They shall apply in respect of payment of wages to persons employed, other than such services belonging to, or exclusively employed in the military, naval or air forces of the Union or the Civil Aviation Department of the Government either by the owner or by a contractor engaged by such owner in an air transport service.

(3) They shall extend to the whole of India except the State of Jammu and Kashmir.

**2. Definitions.**—In these rules, unless the context otherwise requires—

- (a) "Act" means the Payment of Wages Act, 1936 (4 of 1936);
- (b) "authority" means an authority appointed under sub-section (1) of section 15;
- (c) "Chief Labour Commissioner" means an officer appointed as such by the Central Government;
- (d) "contractor" means a person engaged under a contract, by the owner of an air transport service, to perform certain functions in relation to the air transport service, and includes a sub-contractor;
- (e) "Court" means the court mentioned in sub-section (1) of section 17;
- (f) "deduction for breach of contract" means a deduction made in accordance with the proviso to sub-section (2) of section 9;
- (g) "deduction for damage or loss" means a deduction made in accordance with clause (c) of sub-section (2) of section 7;
- (h) "employed person" means a person employed in an air transport service to whom the Act applies;
- (i) "employer" means the owner of an air transport service and includes a contractor, agent, manager, or any other person responsible under section 3 for the payment of wages;
- (j) "Form" means a form appended to these rules;
- (k) "Inspector" means an Inspector appointed under section 14;
- (l) "Regional Labour Commissioner" means an officer appointed as such by the Central Government;
- (m) "section" means a section of the Act;
- (n) words and expressions used in these rules and not defined herein shall have the same meanings respectively assigned to them in the Act.

**3. Notice of opening abandonment, discontinuance, resumption and change in the ownership, addresses etc.**—(1) When an air transport service has been opened, the employer shall forthwith communicate the actual date of opening to the Regional Labour Commissioner concerned in Form I.

(2) When it is intended to abandon an air transport service or to discontinue it for a period exceeding 60 days, the employer shall, not less than 40 days before such abandonment or discontinuance give to the Regional Labour Commissioner concerned, a notice stating the reasons for the proposed abandonment or discontinuance and the number of persons likely to be affected thereby:

Provided that when an air transport service is abandoned or discontinued before the said notice was given, or when the discontinuance exceeds 60 days, due to unforeseen circumstances, the notice shall be given forthwith.

(3) When an air transport service has been abandoned, or discontinued for a period exceeding 60 days, the employer shall, within seven days of the abandonment, or the expiry of the said period, give to the Regional Labour Commissioner concerned notice in Form I.

(4) Where it is intended to resume an air transport service after abandonment or after discontinuance for a period exceeding 60 days, the employer shall, not less than 30 days before the resumption of transport operations, give to the Regional Labour Commissioner concerned notice in Form I.

(5) Where an air transport service has been resumed, the employer of the air transport service shall forthwith communicate the actual date of resumption to the Regional Labour Commissioner concerned.

(6) When a change occurs in the name or ownership of an air transport service or in the address of the owner, the employer shall, within seven days from the date of such change, give to the Regional Labour Commissioner concerned, a notice in Form I:

Provided that where the owner of an air transport service is a firm or other association of individuals, a change—

- (i) of any partner, in the case of a firm;
- (ii) of any member, in the case of an association;
- (iii) of any director, in the case of public company; or
- (iv) of any shareholder in the case of private company; shall also be intimated to the Regional Labour Commissioner concerned within seven days from the date of such change.

**4. Register of fines.**—(1) Every employer who desires to impose fines on the employed persons shall obtain the approval of the Regional Labour Commissioner concerned to a list of acts and omissions in respect of which fines may be imposed. The Regional Labour Commissioner concerned shall be the authority competent to approve, under sub-section (8) of section 8, the purposes for which the amount of fines realised may be expended.

(2) Every employer who has obtained approval to the list of acts and omissions under sub-rule (1) shall maintain a register of fines in Form II.

(3) The list of acts and omissions in respect of which fines may be imposed, shall be entered in the Register of Fines at the beginning.

(4) At the beginning of the Register of Fines, there shall also be entered, serially numbered, the approved purpose or purposes on which the amount of fines realised is to be expended.

(5) At the end of every month, the amounts realised as fines shall be totalled and carried forward after deduction of disbursement, if any, as per Part II of Form II.

(6) When any disbursements are made from the amounts of the fines realised, a deduct entry of the amount so expended shall be made in the Register of Fines and a voucher or receipt in respect of the amount shall be affixed to the Register. If more than one purpose has been approved, the entry of the disbursement shall also indicate the purpose for which it is made.

(7) The Register of Fines shall be kept at the establishment or as near to it as possible and maintained up-to-date. Where no fine has been imposed on any employee in a wage period, a nil entry shall be made across the body of the register at the end of the wage period indicating also in precise terms the wage period to which the nil entry relates.

**5. Register of deductions for damage or loss.**—The Register of deductions for damage or loss referred to in sub-section (2) of section 10 shall be in Form III and shall be kept at the establishment or as near to it as possible and maintained up-to-date. Where no deduction has been made from the wages of any employed person in a wage period, a nil entry shall be made across the body of the Register at the end of the wage period, indicating also in precise terms the wage period to which the nil entry relates.

**6. Muster Roll and Register of Wages.**—Every employer shall maintain a Muster Roll and a Register of Wages in Forms IV and V respectively or a Muster Roll-cum-Register of Wages in Form VI. These records shall be maintained up-to-date and kept at the establishment or as near to it as possible. The attendance of an employed person shall be marked out later than one hour after the employed person commences work for the day.

**7. Combined form of Registers.**—Notwithstanding anything contained in these rules, where mechanised pay rolls are introduced for better administration or a combined (alternative) form is sought to be used by an employer to avoid duplication of work for compliance with the provisions of any other Act or rules framed thereunder, an alternative suitable form may be used in lieu of any of the forms prescribed under these rules, with the prior approval of the Chief Labour Commissioner (Central).

**8. Maintenance of Registers.**—(1) Every register maintained in lieu of any register prescribed under the Act or these rules shall be preserved for a period of three years after the date of the last entry made therein.

(2) The registers prescribed under the Act or these rules shall be maintained in English or in Hindi, but where a register is maintained in Hindi, a true translation thereof in English shall also be maintained.

**9. Production of Registers and records.**—All registers and records required to be maintained under these rules, shall be produced by the employer on demand before the Inspector:

Provided that where an establishment has been closed, the Inspector may demand the production of registers and records in his office or such other public place as may be nearer to the employer.

**10. Places for displaying notices.**—The Inspector shall specify such place or places in the establishment as he thinks fit (hereinafter referred to as specified place or places) for the display of notices and lists under rules 11 and 12.

**11. Notice of dates of payment.**—(1) The employer shall display at a conspicuous place outside his office and at the specified place or places, notices in English or Hindi and in the language, if that be not Hindi, of the majority of the persons employed at such place or places showing:—

(i) for not less than two weeks in advance, the days on which wages are to be paid; and

(ii) the rates of wages and scales of allowances payable to persons employed in Form VII.

Copies of all such notices and alterations therein shall be sent to the Inspector.

(2) The employer shall display outside his office and at the specified place or places a notice showing the name and complete address of the Inspector having jurisdiction over the establishment.

**12. Posting of the lists.**—The employer shall display outside his office and at the specified place or places, a copy in English, or Hindi or in the language, if that be not Hindi, of the majority of persons employed, the list of acts and omissions approved under rule 4.

**13. Persons authorised to impose fines.**—(1) No fine may be imposed by any person other than the employer or a member of his staff authorised by him in writing in this behalf. A copy of such authorisation shall be duly sent to the Inspector concerned.

(2) In the case of persons employed by a contractor, no fine may be imposed by any person other than the contractor:

Provided that a contractor who runs more than one establishment in two or more localities, and who employs not less than 50 persons in one locality, may, with the approval of the Regional Labour Commissioner delegate his powers to impose fine to his representative in that locality.

**14. Procedure in imposing fines and deductions.**—(1) No fine shall be imposed, except in accordance with the procedure laid down in any rules, regulations or certified standing orders in force in the establishment and until the employed persons has been given an opportunity in writing to show cause against such imposition and it has also been established that he was guilty of the act of omission or commission alleged against him.

(2) No deduction for damage or loss shall be made from the wages of an employed person except in accordance with the rules or regulations of the establishment or certified standing orders, in force in the establishment and until he has been given an opportunity to show cause against such deduction and it has also been established that the damage or loss sustained by the employer is directly attributable to the neglect or default of the employed person.

(3) No fine shall be imposed on, and no deduction for damage or loss shall be made from, the wages of a person employed by a contractor until the person competent to impose the fine or to make deduction has explained personally to the said person, the act or omission or the damage or loss, in respect of which the fine or deduction is imposed or made and the amount of fine or deductions which it is proposed to impose or make and the employed person has been given a reasonable opportunity of being heard in the presence of at least one more person.

**15. Deduction for breach of contract.**—(1) No deduction for breach of contract shall be made from the wage of an employed person who is under the age of fifteen years or is a woman.

(2) No such deduction shall be made from the wages of any employed person unless there is a provision in writing in the terms of the contract of employment or in the certified Standing Orders of the employer requiring the employed person to give notice of termination of his employment.

(3) No such deduction shall exceed the wages of the employed person for the period by which the notice of termination of service given falls short of the period of such notice required by the contract of employment or certified Standing Orders.

(4) No such deduction shall be made from the wages of any employed person unless this rule has been displayed in English or Hindi and in the language, if that be not Hindi, of the majority of the employed persons, outside the office of the establishment and at the specified place or places concerned, and has been so displayed for not less than one month before the commencement of the absence in respect of which the deduction is made.

(5) No such deduction shall be made from the wages of any employed person unless a notice has been displayed outside the office of the establishment and at the specified place or places, at least one week before such deduction is made, giving the names of the persons from whom the deduction is proposed to be made, the number of day's wages to be deducted and the conditions if any, on which the deduction will be remitted:

Provided that here the deduction is proposed to be made from all the persons employed in any department or section of the establishment, it shall be sufficient, in lieu of giving the names of such persons in the department or section, to specify the department or section affected.

(6) If any conditions on the fulfilment of which any deduction is to be made, have been specified in the notice displayed under sub-rule (5), no such deduction shall be made from any person who has complied with such conditions.

**16. Annual Return.**—Every employer shall send a return in Form VIII so as to reach the Regional Labour Commissioner concerned not later than the 1st of February following the end of the year to which it relates endorsing simultaneously a copy thereof to the Inspector having jurisdiction over the establishment.

**17. Advances to persons employed by employer.**—(1) An advance of any nature (including advances for travelling allowance or conveyance allowance) shall not ordinarily exceed two calendar months' wages of the employed person. In exceptional circumstances, the amount of such advance, may, with the previous sanction of the Regional Labour Commissioner concerned be made to the extent of ten calendar months' wages.

(2) The advance may be recovered in instalments by deduction from wages of the employed person spread over not more than twelve months in the case of an ordinary advance and sixty months in the case of an advance granted in exceptional circumstances. In no case shall the amount of an instalment exceed one-fourth of the wages earned in a wage period.

(3) The amount of all advances sanctioned and repayments thereof shall be entered in a register in Form IX which shall be maintained upto date and kept at the establishment or as near to it as possible.

**18. Loans from funds constituted for the welfare of Labour.**—(1) A loan from any fund constituted for the welfare of Labour referred to in of clause (ff) of sub-section (2) of section 7 shall not ordinarily exceed the amount equal to two calendar months' wages of the employed person; in exceptional cases such loan, may, with the previous sanction of the Regional Labour Commissioner concerned be granted to the extent of four calendar months' wages. Interest on any such loan shall not exceed 4 per cent per annum.

(2) The amount of loans granted under sub-rule (1) and the repayments thereof together with interest thereon shall be entered in a register in Form X which shall be maintained upto date and kept at the establishment or as near to it as possible.

**19. Loans for house building and other purposes.**—(1) A loan may be granted by the employer to an employed person for the purpose of:—

(a) building a house or for effecting repairs in, and extension of, an existing house;

- (b) purchase of a built house or of a plot for building a house;
- (c) the marriage of the employed person, his son or daughter;
- (d) treatment of prolonged illness of the employed person or of a member of his family.

(2) A loan for the purposes specified in sub-rule (1) shall not ordinarily exceed the amount equal to 36 calendar months' wages or ten thousand rupees whichever is less and interest on such loans shall not exceed 5 per cent per annum.

(3) The amount of loans sanctioned under sub-rule (1) and repayments thereof together with interest thereon shall be recorded in a register in Form XI which shall be maintained upto date and kept at the establishment or as near to it as possible.

**20. Manner of recovery of amount of deductions in excess of limits prescribed under sub-section (3) of section 7.**—Where the total amount of deductions which have to be made under sub-section (2) of section 7 of the Act in any wage period from the wages of any employed person exceeds the limit specified in clause (i) or, as the case may be, clause (ii), of sub-section (3) of that section, the excess shall be carried forward and recovered from the wages for succeeding wage periods in such number of instalments, not exceeding six, as may be necessary to enable the deductions to be made in compliance with the said limits.

*Illustration.*—The wages of a monthly rated employed person for January are one hundred rupees and deductions (which include deductions on account of dues of a co-operative society) amount to ninety rupees. His maximum deduction from the wages for January will be seventy-five rupees. The excess amount of fifteen rupees will be carried forward and recovered in not more than six instalments by limiting other deductions for those months so that the total deduction does not exceed seventy-five rupees in any month.

**21. Procedure, costs and court fees.**—The procedure to be followed by the authority and the court, the scales of costs which may be allowed in, and the amount of court fees payable in respect of the proceedings under the Act to which these rules apply, shall be such as may from time to time be determined by the State Government in exercise of its powers under the Act in that behalf for the authority or the court concerned.

**22. Abstracts.**—The abstracts of the Act and the rules to be displayed under section 25 shall be in Form XII and shall be in Hindi and in the language—if that be not Hindi—of the majority of the employed persons.

**23. Penalties.**—(1) Whoever, being required under these rules to maintain any register or record or to furnish any return, fails to do so, or makes a false entry therein shall, for each such offence, be punishable with fine which may extend to five hundred rupees; provided that an employer who maintains such registers and records, or furnishes the required return without making the necessary entries therein, shall be punishable with fine which may extend to two hundred rupees.

(2) Whoever contravenes the provision of rules 11 and 12 shall be punishable with fine which may extend to two hundred rupees.

#### FORM I

(See rule 3)

Notice of opening, abandonment, discontinuance, resumption and change in the ownership, addresses etc.

From

.....

.....

To

The Regional Labour Commissioner (Central),

.....

Sir,

I have to furnish the following particulars in respect of .....  
at ..... establishment of ..... (owner).

1. In the case of change of name of establishment:

Old name of establishment ..... date of change .....

2. (a) Situation of the establishment: Village ..... Police Station .....  
Sub-Division (Taluk) ..... District ..... State .....

(b) In the case of a new establishment, particulars of situation of establishment:  
Post Office ..... Telegraph Office .....  
Railway Station ..... Rest House .....  
(Give distances therefrom) means of travelling .....

3. (a) Name and Postal address of Present/Previous\*\*

(i) Owner .....  
(ii) Managing Agent, if any .....  
(iii) Agent, if any .....  
(iv) Manager .....  
(v) In case of change, date of change .....

4. Date on which it is intended to open/resume/abandon\$discontinuet the establishment .....

5. Actual date of opening/reopening/abandonment/discontinuance† of the establishment .....

Yours faithfully,

Signature .....  
Designation: Owner/Agent/Manager.  
Date .....

*Instructions*

\*Mention the matter to which the notice refers.

\*\*To be filled in only when the notice refers to a change and only against the item in respect of which notice is given.

†Delete whatever is not applicable.

**FORM II**  
**(See rule 4 (2)**  
**Register of Fines**

**PART I**

Name of Establishment.....

Sl. No.	Name <sup>1</sup>	Father's or Husband's name	Nature of employment	Rate of Wages	Wages earned during the Wage period	Act or omi- ssion for which fine imposed	Fines	Remarks		
1	2	3	4	5	6	7	8	9	10	11

**PART II**

Particulars of disbursement of fines

Date of disbursement	Amount disbursed	Purpose for which amount disbursed	Remarks
1	2	3	4

## Form III

(See rule 5)

*Register of deductions for damage or loss caused to the employer by the neglect or default of the employed person.*

Name of Establishment.....

Sl. No.	Name	Father's or Husband's name	Nature of employ- ment	Damage or loss caused and its value	Whether wor- ker showed cause against deduction or not, if so, en- ter date	The name of the per- son in whose pre- sence a workman's explanation is heard in respect of an em- ployee engaged by a contractor	Date and amount of deduction imposed	No. of "■ instal- ments, if any.]	Date on which total amount realised	Remarks
I	2	3	4	5	6	7	8	9	10	II

## Form IV

(See rule 6)

*Muster Roll*

Name of Establishment.....

Name and address of employer.....

Location.....

Post Office.....

Wage period from.....to.....

SL No.	Name of employed person	Designation]	Father's/Husband's name	Daily attendance/No. of units worked	Total atten- dance/Total No. of units worked	Remarks
I	2	3	4	5	6	7
				1. 2. 3. 4. 5. 6. 7. 8. 9. 10. 11. 12. 13. 14. 15. 16. 17. 18. 19. 20. 21. 22. 23. 24. 25. 26. 27. 28. 29. 30. 31.		

## FORM V

(See rule 6)

## Register of wages

Name of Establishment .....

Name and address of employer .....

Location .....

Post Office .....

Wage period from..... to.....

Sl. No.	Name of employed person	Designation	Father's/Husband's name	Total atten- dance/No. of units worked	Rate of Wages			Wages earned				
					Basic	D.A.	Other al- lowances	Basic	D.A.	Overt- time	Other allowances	Total
1	2	3	4	5	6	7	8	9	10	11	12	13

Deduction from wages on account of						Total de- ductions	Net amount payable	Acquittance with date	Remarks
Fines	Damage or loss caused to the employer by neg- lect or default of employed person	Amenities & services/House Rent	Provident Fund/In- come tax/Postal In- surance/Co-operative Societies		Other de- ductions				
14	15	16	17	18	19	20	21	22	23

## Form VI

(See Rule 6)

Muster-Roll-cum-Register of Wages

Name of Establishment .....

Name and address of employer.....

Location .....

Post Office .....

Wage period from.....to.....

Sl. No.	Name of employed person	Designation	Father's/Husband's name	Daily attendance/No. of units worked	Total atten- dance/ units worked	Rate of Wages		Wages earned					
						1, 2, 3, 4, 5, 6, 7.	Basic	D.A.	Other Basic	D.A.	Over- time allow- ances	Other allow- ances	Total
1	2	3	4	5	6	7	8	9	10	11	12	13	14

Deductions from Wages on account of						Total de- ductions	Net amount payable	Acquittance Remarks with date	
Fines	Damage or loss	Loss caused to em- ployer by neglect or default of em- ployed person	Amenities & Services/House Rent	Provident Fund/ In- come Tax/Postal Insurance/Co- operative Society	Other deductions				
15	16	17	18	19	20	21	22	23	24

## FORM VII

[See rule 11 (1) (ii)]

*Notice of Rates of Wages and scales of allowances payable to employed persons*

Name or Establishment.....

Date from which wage rates will be or are enforced.....

Sl. No.	Class of employees or description of work	Particulars of wage period	Rate of wages		Rate of allowances, if any	Remarks
			Rs.	P.		
1	2	3	4	5	6	

## FORM VIII

(See rule 15)

## Annual Return

Return for the year ending 31st December, 1966.

1. (a) Name of the Establishment, location and postal address:.....
- % (b) Name and address of the Manager/Contractor.....
- % (c) Name of the Company/Firm owning the establishment and full address of its registered office.....
- % (d) Name and residential address of the Managing Agent/Director/Partner in charge of the day to day affairs of the establishment .....
- % (e) Name and address of the person, if any, other than the Manager/Contractor, who is responsible for payment of wages in terms of the proviso to Section 3 of the Payment of Wages Act, 1936.....
2. Number of days worked during the year.....
- \*3.(a) Number of man-days worked during the year:—

Adults	Persons receiving less than Rs. 400/- per month.
Children	
<b>†(b)</b> Adults. Persons receiving less than Children. Average daily No. of persons employed during the year. Rs. 400/- per month.	
(c) Gross amount paid as remuneration to persons, getting less than Rs. 400/- per month including deductions under section 7 (2) in..... of which the amount due to profit-sharing bonus is..... and that due to †money value of concessions is .....	

4. Total wages paid including deductions under section 7(2) on the following accounts:—

	Persons receiving less than Rs. 400/- per month.
(a) Basic wages including overtime wages and non-profit sharing bonus.	
(b) Dearness and other allowances in cash.	
(c) Arrears of pay in respect of previous year paid during the year.	
5. Number of cases and amount realised as:—	
	Persons receiving less than Rs. 400/- per month
	No. of cases
	Amount
(a) Fines	
(b) Deductions for damage or loss.	
(c) Deductions for breach of contract.	
6. Disbursement from the fine fund.	
	Purpose
	Amount.
(a)	
(b)	
(c)	
(d)	
7. Balance of fines fund in hand at the end of the year.....	
Signature .....	
Designation.....	

\*This is the aggregate number of attendances during the year.

† The average daily number of persons employed during the year is obtained by dividing the aggregate number of attendances during the year by the number of working days.

‡ Money value of concessions should be obtained by taking the difference of the cost price paid by the employer and the actual price paid by the employees for supplies of essential commodities given free or at concessional rates.

% Strike off whichever is not applicable.

## FORM IX

[See rule 16(3)]

## Register of Advances made to employed persons

Name of Establishment.....

Sl. No.	Name	Father's or Husband's name	Nature of employment	Earnings during a wage period	Date & Amount of advance	Purpose(s) for which advance made	Instalments for repay- ment of advance		Dates of instalments repaid	Date on which total amount paid	Signature or thumb impression of the worker or remarks
							No. of instalments	Amount of each ins- talment			
1	2	3	4	5	6	7	8	9	10	11	12

## FORM X

[See rule 17 (2)]

Name of establishment.....

## Register of loans granted to the employed person from funds constituted for the Welfare of Labour.

Sl. No.	Name	Father's/ Husband's name	Nature of employ- ment	Amount of loan	Date when granted	Purpose for which granted	Instalments for repayment of loan		Dates of instalments repaid	Date on which total amount repaid	Signature or thumb impression of the worker or remarks
							No. of instalments	Amount of each ins- talment			
1	2	3	4	5	6	7	8	9	10	11	12

## FORM XI

[See rule 18(3)]

*Register of loans granted to the employed persons for house building or other approved purposes*

Name of Establishment .....

Sl. No.	Name of Worker	Father's/ Husband's name	Natures of employment	Amount of loan	Date when granted	Purpose for which granted	Instalments for repay- ment of loan		Dates of instalments repaid	Date on which total amount repaid	Signature or thumb impression of the worker or remarks
							No. of instalments	Amount of each ins- talment			
1	2	3	4	5	6	7	8	9	10	11	12

## FORM XII

(See Rule 21)

*Abstract of the Payment of Wages Act, 1936 and the rules made thereunder*

1. The Act applies to the payment of wages to persons employed in air transport services receiving less than Rs. 400 a month.

2. No employed person can give up by contract or agreement his rights under the Act.

*Definition of Wages*

3. 'Wages' means all remuneration whether salary, allowances or otherwise payable to a person employed in respect of his employment or of work done in such employment;

It includes:—

- (a) any remuneration payable under any award or settlement between the parties or order of a court;
- (b) any remuneration to which the person employed is entitled in respect of overtime work or holidays or any leave period;
- (c) any additional remuneration payable under the terms of employment;
- (d) any sum which by reason of the termination of employment of the person employed is payable under any law, contract or instrument which provides for the payment of such sum, whether with or without deductions, but does not provide for the time within which the payment is to be made.
- (e) any sum to which the person employed is entitled under any scheme framed under any law for the time being in force;

It excludes:—

- (1) any bonus which does not form part of the remuneration payable under the terms of employment or which is not payable under any award or settlement between the parties or order of a court;
- (2) the value of any house-accommodation, or of the supply of light, water, medical attendance or other amenity or of any service excluded from the computation of wages by an order of the Central Government;
- (3) any contribution paid by the employer to any pension or provident fund, and the interest which may have accrued thereon;
- (4) any travelling allowance or the value of any travelling concession;
- (5) any sum paid to the employed person to defray special expenses entailed on him by the nature of his employment; or
- (6) any gratuity payable on the intermination of employment in cases other than those specified in sub-clause (d) [Section 2 (vi) of the Act].

*Responsibility for and method of payment*

4. The employer is responsible for the payment under the Act of wages to persons employed under him, and any contractor employing persons is responsible for payment to the persons he employs.

5. Wage-periods shall be fixed for the payment of wages at intervals not exceeding one month.

6. Wages shall be paid on a working day within 7 days of the end of the wage period (or within 10 days if 1,000 or more persons are employed).

The wages of a person discharged shall be paid not later than the second working day after his discharge.

7. Payment in kind is prohibited.

*Fines and Deductions*

8. No deductions shall be made from wages except those authorised under the Act (see paragraphs 9—18 below).

9. (1) Fines can be imposed only for such acts and omissions as the employer may, with the previous approval of the Regional Labour Commissioner, specify by a notice displayed at or near the entrance of the work place or places at the establishment and after giving the employed person an opportunity for explanation.

(2) Fines.

- (a) shall not exceed three paise in the rupee.
- (b) shall not be recovered by instalments or later than sixty days of the date of imposition;
- (c) shall be recorded in a register and applied to such purposes beneficial to the employed persons as are approved by the Inspector;
- (d) shall not be imposed on an employed person who is under the age of fifteen years.

10. (a) Deductions for absence from duty can be made only on account of the absence of the employed person at times when he should be working and such deductions must not exceed an amount which is in the same proportion to his wages for the wage-period as the time he was absent in that period is to the total time he should have been at work.

- (b) If ten or more employed persons, acting in concert, absent themselves without reasonable cause and without due notice, the deduction for absence can include wages for eight days in lieu of notice, but:—
  - (i) no deduction for breaking contract can be made from a person under 15 or a woman;
  - (ii) there must be a provision in writing which forms part of the contract of employment or the certified Standing Orders, requiring that a specific period of notice of intention to cease work not exceeding 15 days or the period of notice which the employer has to give to discharge a worker, must be given to the employer and that wages may be deducted in lieu of such notice;
  - (iii) the above provision must be displayed at or near the entrance of the work place or places at the establishment or work place;
  - (iv) no deduction of this nature can be made until a week's notice that this deduction is to be made has been posted at or near the main entrance of the work place or places at the establishment or work-place;
  - (v) no deduction must exceed the wages of the employed persons for the period by which the notice he gives of leaving employment, is less than the notice he should have given under his contract.

11. Deductions can be made for damage to or loss of goods expressly entrusted to an employed person or for loss of money for which he is required to account, where such damage or loss is due to his neglect or default.

Such deduction cannot exceed the amount of the damage or loss caused and can be made only after giving the employed persons an opportunity for explanation.

12. Deductions can be made, equivalent to the value thereof, for house accommodation supplied by the employer or by Government or any housing board set up under any law for the time being in force (whether the Government or the board is the employer or not) or any other authority engaged in the business of subsidising house-accommodation which may be specified in this behalf by the Central Government amenities and services (other than tools and raw material) supplied by the employer; provided these are accepted by the employed person as a part of the terms of his employment and have in the case of amenities and services been authorised by order of the Central Government.

13. (a) Deduction can be made for the recovery of advance or for adjustment of over-payment of wages.

(b) Advances made before the employment began can only be recovered from the first payment of wages for a complete wage-period.

(c) Advances of whatever nature can be made at the employer's discretion during the employment.

14. Deductions can be made for subscription to and for repayment of advances from any recognised provident fund.

15. Deductions can be made for payments to co-operative societies approved by the Central Government or to the postal insurance, subject to any conditions imposed by the Central Government.

16. Deductions can be made for repayment of loans granted to the employed persons from funds constituted for welfare of labour.

17. Deductions can also be made for repayment of loans granted for house building and other purposes.

18. Deductions can also be made with the written authorisation of the person employed or payment of any premium on his life insurance policy to the Life Insurance Corporation of India or for the purchase of securities of the Government of India or of any State Government or for being deposited in any Post Office Savings Bank in furtherance of any savings scheme of any such Government.

19. Any loss of wages resulting from withholding of increment or promotion, reduction to a lower post or time scale or to a lower stage in a time scale or suspension does not constitute deduction from wages within the meaning of the Act. For this purpose the rules framed by an employer in relation to his employees in the establishment for the purpose of any of the aforesaid penalties shall provide that:—

(i) any such penalty as aforesaid, except the penalty of suspension, shall not be imposed unless the person concerned:—

(a) has been informed for the charges in respect of which it is proposed to impose the penalty;

(b) has been given a reasonable opportunity of showing cause why the proposed penalty should not be imposed;

(ii) the person concerned is given a right of appeal against any order imposing the penalty.

#### *Inspections*

20. An Inspector can enter on any premises and can exercise the powers of inspection (including examination of documents and taking of evidence) as he may deem necessary for carrying out the purposes of the Act.

#### *Complaints of deductions or delays*

21. (a) Where irregular deductions are made from wages, or delays in payment take place, an employed person can make an application in the prescribed form within 12 months to the Authority appointed by the Central Government for the purpose. An application delayed beyond this period may be rejected unless sufficient cause for delay is shown.

(b) Any legal practitioner, official of a registered trade union, Inspector under the Act or other person acting with the Authority can make the complaint on behalf of an employed person.

(c) A single application may be presented by, or on behalf of any number of persons belonging to the same establishment the payment of whose wages has been delayed.

#### *Action by the Authority*

22. The authority may award compensation to the employed person in addition to ordering the payment of delayed wages or the refund of illegal deductions.

If a malicious or vexatious complaint is made, the Authority may impose a penalty not exceeding Rs. 50 on the applicant and order that it be paid to the employer.

In a case in which compensation is directed to be paid under Section 15(3) the authority may direct that a penalty not exceeding fifty rupees be paid to the State Government by the employer or any other person responsible for the payment of wages.

*Appeal against the authority*

23. An appeal against an order dismissing either wholly or in part an application or against a direction may be preferred within 30 days in Calcutta to the Chief Judge, Court of Small Causes and elsewhere to the District Court:—

- (a) by the employer if the total amount directed to be paid exceeds Rs. 300.
- (b) by an employed person or any legal practitioner or any official of a registered trade union authorised in writing to act on his behalf, or any Inspector under the Act or any other person permitted by the authority to make an application, if the total amount of wages withheld from him exceeds Rs. 20 from unpaid group to which he belongs or belonged exceeds fifty rupees.
- (c) by a person directed to pay a penalty for a malicious or vexatious applications.

*Punishments for breaches of the Act*

24. Any one tried for delaying the payment of wages beyond the due date, or making any unauthorised deduction from wages is liable to a fine upto Rs. 500 but only if prosecuted with the sanction of the Authority or the Appellate Court.

25. The employer who—

- (1) does not fix a wage period, or
- (2) makes payment in kind, or
- (3) fails to display at or near the main entrance of the work place or places at the establishment or work place this abstract in English and in the language of the majority of the employed persons, or
- (4) breaks certain rules made under the Act, is liable to fine not exceeding Rs. 200.

A complaint to this effect can be made only by the Inspector or with his sanction.

[No. 638/3/66-Fac.]

By Order,

VIDYA PRAKASH, Dy. Secy.

**(Department of Labour and Employment)**

New Delhi, the 1st December 1966

**S.O. 3777.**—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal, No 2, Calcutta, in the industrial dispute between the employers in relation to the Baragolai Colliery of Messrs. Assam Railways and Trading Company, Limited, Margherita and their workmen, which was received by the Central Government on the 25th November, 1966.

**CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. 2, CALCUTTA**

REFERENCE NO. 20 OF 1966

**PARTIES:**

Employers in relation to the Baragolai Colliery of Messrs. Assam Railways and Trading Company Limited,

AND

Their workmen.

**PRESENT:**

Shri S. K. Sen—*Presiding Officer.*

**APPEARANCES:**

*On behalf of the Employer*—Shri J. K. Ghose, Advocate, with Shri A. Ghose, Chief Personnel Officer.

*On behalf of the Workmen*—Shri P. B. Chakravorty, Advocate.

**STATE:** Assam

**INDUSTRY:** Coal Mines.

## AWARD

The Government of India by Order No. 6/108/64-LR. II, dated 12th April, 1966 referred for adjudication an industrial dispute between the employers in relation to the Baragolai Colliery of Messrs. Assam Railways and Trading Company Limited and their workmen in respect of the following matters mentioned in the schedule:

"Whether the termination of service of Shri Girindra Kumar Kar, Overman of Messrs. Assam Railways and Trading Company Ltd., Margherita, was justified? If not, to what relief is the workman entitled?"

2. Shri Girindra Kumar Kar, Overman of Messrs. Assam Railways and Trading Company Limited, was discharged from service on 31st August, 1962. He had joined the service of the Company in 1937 and had thus put in about 25 years service at the time when there was the incident for which he was discharged. The incident took place on the 1st June 1962. He was detailed for duty on that day as Overman in charge of the pick miners at Tikak Colliery of the Company in the second shift of 8 hours commencing from 4 P.M. He set out from his quarters to join his duty and at about 4 P.M. he met the Assistant Manager, P. N. Ghose, and had some talk with him. Thereafter, however, he failed to report for duty underground, and after some time, the information was sent to the Assistant Manager, and the Assistant Manager had to find another man to take over as Overman in charge of the shift, and in the meantime there was considerable dislocation of work. A chargesheet was served on Girindra Kumar Kar on 8th June, 1962 containing two charges namely, Neglect of work under clause 10(c)(6) of the Standing Orders and (2) violation of Indian Coal Mines Regulation No. 39(6) taken with clause 10(c)(18) of the Standing Orders. Apart from the recital of the clauses, the offence was also set out in words as follows, "On 1st June, 1962 you were to work in Second relay in Tikak District. You had reported for work and after taking instructions from the Asstt. Manager, Tikak District, you failed to go to Underground without informing anybody or without arranging for a substitute which amounts to serious negligence of your duties and responsibilities as an Overman". Girindra Kumar Kar submitted his explanation dated 11th June, 1962, which was received by the management on 12th June, 1962. The explanation was not considered satisfactory and it was decided to hold an enquiry. In the meantime Girindra Kumar Kar had availed of a term of privilege leave already granted to him from the 11th June, 1962 and he also went away from quarters at Tikak, which is a part or district of Baragolai. When he returned to his quarters, he was informed on the 3rd or 4th of August, 1962 that the enquiry into the chargesheet against him would be held at Baragolai on 11th August, 1962. The enquiry was held by Shri J. N. Misra, the then Manager of Baragolai Colliery. The manager found Girindra Kumar Kar guilty of both the charges. In view of the fact, however, that he had put in more than 20 years of service and was a qualified Overman, the manager recommended that his services be terminated by discharge and not by dismissal. On 31st August, 1962 the order of termination of service with immediate effect was served on Girindra Kumar Kar (Ext. D).

3. According to Girindra Kumar Kar's evidence, he stayed at Baragolai for about 4 months seeking reinstatement and awaiting the result of an appeal. Thereafter he went away with his family to Sitarampur in Burdwan district and ultimately found employment first under a Contractor of Baradhemo Colliery and later directly under the management of Baradhemo Colliery. But his basic pay at Baradhemo Colliery is Rs. 145 as against Rs. 255 which he was drawing as competent Overman at Tikak, Baragolai; his case is that he was wrongfully discharged by the management of Assam Railways and Trading Company Limited, and he seeks to be reinstated.

4. There is a preliminary objection raised by Mr. J. K. Ghose, Advocate, for the management that the dispute is an individual dispute concerning Girindra Kumar Kar only and not an industrial dispute within the terms of Section 2(k) of the Industrial Disputes Act, 1947. The law in this respect has been laid down by the Supreme Court in the *Bombay Union of Journalists Vs. The 'Hindu'* A.I.R. 1963 S.C. 318, as follows: "A dispute between an employer and a single employee cannot *per se* be an industrial dispute, but it may become one if it is taken up by the Union or a number of workmen. The persons who seek to support the cause of a workman must themselves be directly and substantially interested in the dispute... Persons who are not employees of the same employer cannot be regarded as so interested, that by their support they may convert an individual dispute into an industrial dispute. In each case in ascertaining whether an individual dispute has acquired the character of an industrial dispute the test is whether at the date

of the reference the dispute was taken up or supported by the Union of the workmen of the employer against whom the dispute is raised by an individual workman or by an appreciable number of workmen".

5. In the present case admittedly neither of the two unions which function amongst the workmen of the collieries of Assam Railways and Trading Company Limited, viz., The Assam Colliery Mazdoor Congress and the Assam Coal Mines Workers Union, has taken up the dispute on behalf of the discharged employee, Sri Girindra Kumar Kar. The dispute has been raised by a union with its Head Office at Sitarampur, namely. The Indian National Mines Overman, Sirdar and Shotfirers' Association. Girindra Kumar Kar deposed that he had become a member of this union about 6 months before he left Dibrugarh. He also claims that there are 20 or 25 workmen working at Tikak and Baragolai colliery of the company who are members of the overman association which has taken up his case. This fact, however, has been seriously challenged by the management. The management in its written statement clearly asserted that the workman concerned was not a member of the Indian National Mines Overman, Sirdar and Shotfirers' Association at the time of his termination of employment and that other employees of the company are not members of that Association. Under the circumstances, Girindra Kumar Kar ought to have produced better evidence that his sole testimony to prove that there are at least 20 or 25 members of this association among the employees of Assam Railways and Trading Company Limited at Tikak, Baragolai and that he himself became a member of that association before he was discharged. He stated that he had subscription receipts to show that he paid subscriptions to the association, but has not produced them before the Tribunal. Shri P. B. Chakravorty, Advocate for the workman concerned, has urged that it is not necessary that Girindra Kar should have been a member of the association at the time when he was discharged and that it is sufficient if he became a member when the dispute was raised before the Conciliation Officer. This position may be conceded, but it is necessary at the same time that some other employees of the Tikak, Baragolai colliery should have become members of the association at the same time and should have pressed his case before the Conciliation Officer or other authorities. It may be accepted that Girindra Kumar Kar is now a member of the association of Overman, Sirdars and Shotfirers with its Headquarters at Sitarampur, but it should be pointed out that the first complaint by that association to the R.L.C.(C), Calcutta, relating to Girindra Kumar Kar was made on 13th August, 1964, nearly two years after the date of discharge of Girindra Kar by the company. It appears, therefore, that Girindra Kumar Kar became a member of the association after he had obtained work under Baradhemco colliery. There is no reliable evidence to show that other workmen of Tikak and Baragolai colliery also became members of the association. Girindra Kar has not been able to produce any such person as his witness, and on the contrary there is the evidence of the then Manager of Baragolai colliery, namely, Shri J. N. Misra, that no representation on behalf of any workman has ever been made to him by the Indian National Mines Overman, Sirdar and Shotfirers' Association of Burdwan district. It appears from the evidence that for some reason or other, other workmen failed to take interest in the order of discharge of Girindra Kar. In the circumstances, the dispute must be considered individual dispute and not an industrial dispute within the terms of Section 2(k) of the Industrial Disputes Act.

6. Shri P. B. Chakravorty has referred to the Industrial Dispute Amendment Act of 1965 which introduced the new Section 2A, which provides that where an employer discharges, dismisses, retrenches or otherwise terminates the service of an individual workman, any dispute or difference between that workman and his employer arising out of such discharge, etc. shall be deemed to be an industrial dispute notwithstanding that no other workman or union is a party to the dispute. This amendment Act however has come into force on and from 1st December, 1965, i.e., long after this reference was made by the Government. Shri Chakravorty has urged that the amendment has retrospective effect. There is however no such recital in the Amendment Act. It is a principle of judicial interpretation that when an amendment affects merely procedural details it is retrospective but when it affects or confers or takes away a substantive right, it is not retrospective. Section 2A introduced into the Industrial Disputes Act, 1947 by the amendment of 1965 certainly confers a new right on individual workman. In the circumstances, it cannot be held that this amendment is retrospective.

7. On the merits also, I do not find that there is substance in the workman's case. In his deposition, Girindra Kar stated that when he was proceeding underground he suddenly felt sick and had vomiting and he sent information to the Asstt. Manager, P. N. Ghose, through his son Asutosh Kar on the same day; that

he also went to the outdoor section of the company's medical unit and that on the next day, 2 June, 1966, the pharmacist himself came to his house with medicines. In his original explanation however, Girindra Kar stated that on 1st June, 1962 he took his lamp and had just started to go underground when he felt unwell and had to go back to his quarters; that his son was not in home at that time and when his son returned from school he sent him with the lamp to the lamp cabin he said nothing about informing the Assistant Manager. He further stated that he was badly affected by a mine explosion which occurred in 1956 in Tipong colliery at which two workmen named Sachindra Kar and Bayananda Bora died, and from that time he had become affected by "such irregularities of mind from time to time" and that when he feels unwell he is unable to go down to pit. He concluded by saying that what he did was not done intentionally but was due to the effect of mine explosion of 1956. In other words, Girindra Kar was saying that as a result of the mine explosion of 1956, his mind became suddenly affected from time to time and at such time he cannot go underground for his duty. If that be so, it is not surprising that the management should dispense with his services. The management rather took a somewhat sympathetic attitude in not passing an order of dismissal which would entail the loss of workman's Provident Fund money (Company's contribution) and other benefits, but instead made an order of termination of service by discharge.

8. Shri Chakravorty has found some fault with the chargesheet pointing out that reference to Regulation 39(6) in the chargesheet is wrong and that it should be 39(b). I do not however think that this mistake prejudiced the workman concerned, because the offence for which he was chargesheeted was also set out in words and Girindra Kar knew what was the charge he had to meet. Shri Chakravorty also found fault with the management for not serving a notice as to the date of hearing on the workman. As to this, the manager explained that no notice was served, as Girindra Kar being on privilege leave at the time was away from Tikak, and as soon as he came to know that Girindra Kar had returned to his quarters, he sent a phone message to Tikak asking that Girindra Kar be informed of the date of hearing and that this was about a week before the date fixed for the enquiry. Girindra Kar has admitted in his deposition that he did obtain verbal information from the Timekeeper as he says. He no doubt stated that he was not informed that he was called to be present at the enquiry, but was told merely that he was to meet the Manager at Baragolai. But he also denied in the course of his deposition that the statement of the witnesses at the enquiry had been taken in his presence. Mr. Misra's evidence is that the statements of the witnesses for the management were recorded in the presence of Girindra Kar and that Girindra Kar was given the opportunity to cross examine them. I find no reason to disbelieve this evidence. I cannot hold that the enquiry was bad merely because no written notice as to the date of hearing had been served on Girindra Kar.

10. Accordingly, I find that the Reference is bad in law as the dispute in question is an individual dispute and not an industrial dispute within the terms of Section 2(k) of the Industrial Disputes Act; and that even assuming that the Reference is in order, I find that the termination of service of Girindra Kumar Kar, Overman of Messrs. Assam Railways and Trading Company Limited, was justified and therefore he is not entitled to any relief in this reference case.

Let this award be submitted to the Government. I direct that parties will bear their own costs.

(Sd.) S. K. SEN,

Dated, 19th November, 1966.

Presiding Officer.

[No. 6/108/64-LRII.]

New Delhi, the 2nd December 1966

S.O. 3778.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal, Andhra Pradesh, Hyderabad, in the industrial dispute between the employers in relation to the Singareni Collieries Company Limited, Post Office Kothagudium Collieries (Andhra Pradesh) and their workmen, which was received by the Central Government on the 24th November, 1966.

BEFORE THE INDUSTRIAL TRIBUNAL (C), ANDHRA PRADESH, HYDERABAD  
PRESENT:

Sri Mohammad Najmuddin, M.A., B.L., Chairman, Industrial Tribunal, Andhra Pradesh, Hyderabad.

INDUSTRIAL DISPUTE NO. 68 OF 1965

BETWEEN

"Workmen of Singareni Collierics Company Ltd., Kothagudium.

AND

The Management, Singareni Collierics Co. Ltd., Kothagudium.

APPEARANCES:

Shri M. Komaradah, General Secretary, Singareni Collierics Workers' Union.  
Kothagudium, for the workmen.

Shri M. Ramakrishna Rao, Asstt. Personnel Officer, for the Management.

AWARD

The Government of India, in its Ministry of Labour and Employment, had, by Order No. 7/16/65-LRII, dated 15th December 1965, referred this case to me for adjudication. The issues settled as per Schedule annexed to the Notification are these:

(1) Whether Sri A. Hannan, Health Inspector, Yellandu Collieries, is eligible for the grade of Senior Sanitary Inspector of Rs. 115—200 in view of the strenuous nature of the duties performed by him for the last 18 years and the terms of the confirmation Order No. 2020, dated 1st June, 1947 issued by the Chief Surgeon and Medical Officer?

(2) If so, to what relief is he entitled to and from what date?

2. The claimant Mr. A. Hannan was appointed Health Inspector at Kothagudium in the year 1947. According to the Wage Schedule of the Company both Health Inspectors and Sanitary Inspectors are in the same pay scale, that being Rs. 70—158. That scale was conferred upon them following implementation of the recommendations of the Mazumdar Award. Hannan holds the necessary qualification of the Sanitary Inspector. He was one of the 3 Sanitary Inspectors at Kothagudium. In the statement of claims reference is made to the order dated 1st June, 1947 confirming Hannan. That order is mentioned in issue 1. In that order which was issued by the Chief Surgeon and the Medical Officer it is stated that after reaching the maximum Hannan's case may be considered for higher grade. He reached the maximum in the pay scale of Rs. 70—158 in the year 1959. Relying upon the fact that he holds the requisite qualifications of a Sanitary Inspector and also relying upon the "assurance" contained in the above mentioned order of confirmation it is claimed that Hannan is eligible to the higher grade of Chief Sanitary Inspector for which the pay scale is Rs. 115—200. I may here mention that in the statement of claims any indication is not given about the "strenuous nature of duties performed" by Mr. Hannan. However there purports to be something about it in the evidence let in before me.

3. The Management filed counter. It is contended that the reference was not valid. Two reasons are given for this contention. The first is that it was not an industrial dispute but that it was only an individual dispute. The second reason is that earlier the Government of India had refused to refer Hannan's case for adjudication and that it was only later that the Government had changed its mind and made this reference. The rest of the counter is that although Hannan had reached the maximum in the pay scale of Sanitary Inspector's grade he is not automatically entitled to be promoted as Chief Sanitary Inspector. It is pointed out that there are some among other Sanitary Inspectors who have similarly reached the maximum in the grade of Rs. 70—158. It is stated that there is only one post of Chief Sanitary Inspector for the Company and that the present incumbent is one Seshagirirao. It is pointed out that the claim of Hannan to be given the grade of the Chief Inspector would amount to demanding creation of a second post. Referring to the letter dated 1st June, 1947 by which Hannan was confirmed it is pointed out that any binding promise to promote Hannan to a higher grade after he reached the maximum in his then grade, cannot be read into it. Two witnesses were examined on the side of the claimant. W.W.1 being Hannan himself Exs. W1 to W17 were marked on his side. One witness for the Management was

examined. He is Dr. J. N. Samadder. He is the Health Officer of the Company at Kothagudium. Exs. M1 to M5 were marked on the side of the Management. I will refer to the evidence, both oral and documentary, during the discussion of the case.

4. I will, to start with, consider the point urged by Mr. Ramakrishnarao for the Management that the reference was not valid in law. It is stated in the counter that although the alleged "cause of action" had arisen in the year 1959, that being the point of time at which the claimant had reached the maximum in the pay scale of Rs. 70—158, the espousal of his case by the Union was in the month of May 1965, and therefore it will not be an industrial dispute but only an individual dispute. Admittedly there has been espousal in respect of Mr. Hannan by the Union as seen from the letter Ex. M2, dated 14th May, 1965 addressed to the Labour Inspector and Conciliation Officer (C) by Mr. T. B. Vithalrao, President of the Union. There have been subsequent conciliation proceedings which ended in failure. When the factum of espousal by the Union is not gainsaid, then any delay in such espousal would not affect the case although the time lag may have relevance in respect of any retrospective effect to be given to a claim that might be admitted. The second point urged by Mr. Ramakrishnarao is that the Government of India in its Ministry of Labour and Employment had at first declined to consider the dispute as a fit one for reference. He drew my attention to Ex. M5, dated 11th August, 1965 which is a letter from the Under Secretary in the Ministry of Labour and Employment to the President of the Workers Union pointing out that the Government of India do not consider the dispute fit for reference to an Industrial Tribunal for adjudication. Making of a reference to an Industrial Tribunal is an administrative function of the Government. It is open to the Government to reconsider the matter at a later stage, and that is what the Government of India have done and later referred this case for adjudication. I do not accept either of the two points urged by Mr. Ramakrishnarao in support of his contention that the reference was bad in law. I hold that what is before me now is an industrial dispute and that it had properly been referred by the Government for adjudication.

5. Examining himself as W.W.I Abdul Hannan said that he had the necessary qualification in that he holds Sanitary Inspector's Certificate issued by the Government of Madras. Ex. W1, dated 10th August, 1940 is a true copy of such a certificate. That he has the necessary qualification is not gainsaid. Actually, as stated by the Health Officer Dr. J. N. Samadder (M.W. 1), the Company had been appointing since the year 1956 only those as Sanitary Inspectors who had the requisite qualifications. The fact that Mr. Hannan holds the requisite qualification does not advance his claim to be given the Chief Sanitary Inspector's grade in the scale of Rs. 115—200. The other Sanitary Inspectors in the employ of the Company are similarly qualified.

6. The next basis of claim is the "assurance" of promotion given in the letter of confirmation, Ex. W3, dated 1st June, 1947. Hannan was appointed by order, dated 19th February 1947. That order is Ex. W2 signed by the then General Manager, Mr. F. Bellamy. Ex. W3 which is the order of confirmation is this:

You are confirmed in your appointment as Health Inspector on salary of OS Rs. 80—4—120 with Dearness and Cycle Allowances. After reaching the maximum you may be considered for a higher grade.

It is signed by Dr. H. Khan, Chief Surgeon and Medical Officer. Ex. W4, dated 26th June, 1949 is a representation by Hannan to the Chief Surgeon and Medical Officer submitting that the pay scale of Rs. 80—120 was inadequate when compared to that of a corresponding incumbent in the service of the Hyderabad Government. Any order does not seem to have been passed thereon. W.W.I stated that he had sent a similar application in the year 1953. A copy of any such application is, however, not filed. But the next document Ex. W5, dated 3rd August, 1953 would appear to be in response to such an application. Ex. W5 is letter from the Health Officer to the Chief Surgeon and the Medical Officer recommending Hannan to the next higher grade on the grounds that he was a qualified Sanitary Inspector, that he was put in independent charge of Ramavaram area, that he had reached his maximum in the then grade, that his work has been satisfactory and that there was also that letter Ex. W3, dated 1st June, 1947 from the Chief Surgeon and Medical Officer in which it was stated that after Hannan reached the maximum in his present grade he might be considered for a higher grade. There the matter rested for the time being. Later Hannan sent another application in the year 1955 which is referred to in the next document Ex. W6, dated 24th February 1955 which is from Dr. Das the then Health Officer addressed to the Chief Surgeon

and Medical Officer. Once more in Ex. W6, the Health Officer draw attention to the order of confirmation (Ex. W3) in which it was stated that the case of Hannan for a higher grade will be considered after he reaches the maximum in his then grade. The health Officer recommended that Hannan's case may be considered sympathetically.

7. Now the question is whether relying on the documents mentioned in the paragraph above, Mr. Hannan can sustain his claim to the higher grade of Rs. 115—200 which is the pay scale of the Chief Sanitary Inspector. It was in the year 1959 that Hannan reached the maximum in the grade of I.C. Rs. 70—158. It may seem rather hard that there should be no promotion to a higher grade. He would seem to be the senior most among the qualified Sanitary Inspectors. But we have to consider the facts as they are. M.W.I. stated, and W.W.I. admitted, that there is only one post of Chief Sanitary Inspector in the Singareni Collieries Company Ltd., his station being at Kothagudium. The present incumbent is Mr. Sesnagirirao who had been promoted to that post in the year 1952. So it means that the one post of Chief Sanitary Inspector had been filled up even 7 years prior to Hannan reaching his maximum in the grade of Rs. 70—158, which was in the year 1959. The words, "after reaching the maximum he may be considered for a higher grade" appearing in Ex. W3 cannot be regarded as creating any vested interest or constituting a firm promise in favour of Hannan. It is common ground that the General Manager is the authority to appoint and to promote. That is stated by M.W.I., and is admitted by W.W.I. That is the reason why we see that the order of appointment, Ex. W2, given to Hannan was signed by the General Manager. What is stated in Ex. W3 is that after Hannan reached the maximum he may be considered for a higher grade. It means that if an opening could be given to him into a higher grade after he reach the maximum his case for such promotion would be considered. But unfortunately for Hannan the post of Chief Sanitary Inspector had been filled by Sesnagirirao even in the year 1952. It is possible that if that post in the higher grade was still open in the year 1959, the Management might have considered Hannan deserving of being promoted to that post. It is true that by his letters Exs. W5 and W6 the Health Officer had recommended to the Chief Surgeon and Medical Officer that Hannan's case may be considered for promotion. Quite obviously the Health Officer under whose direct charge Hannan worked was impressed by his good work, and therefore made his recommendation to the Chief Surgeon & Medical Officer as per Ex. W5 and W6. Those two documents mean nothing more than the fact that the Health Officer had gone on record in appreciative terms with regard to the work of Hannan, although it is no consolation to the latter when it comes to the question of promotion. What is contained in Ex. W3 is not a promise to promote to a higher grade but only a promise to consider his case for promotion to a higher grade. That is all there is to what is contained in Ex. W3. As I said, Exs. W5 and W6 are only recommendations.

8. Mr. Kumarayya, the General Secretary of the Workers Union, suggested that an additional post in the grade of Rs. 115—200 may be created and given to Hannan. What in effect Mr. Kumarayya suggests is that there should be another post of Chief Sanitary Inspector. The Management cannot be asked to create a new post. The further suggestion of Mr. Kumarayya is that if there is any difficulty in the matter of creating such an additional post, Hannan may be given the pay scale of Rs. 115—200 without designating him as Additional Chief Sanitary Inspector. Even this suggestion is not tenable. There are several Sanitary Inspectors including Hannan. Some of them may have, like Hannan, reached the maximum in the grade of Rs. 70—158. If by reason of Hannan reaching the maximum in the grade of Rs. 70—158 he is to be given the higher grade of Rs. 115—200, then the Management would, so to say, be landing itself into a hornets' nest because the other Sanitary Inspectors who had similarly reached the maximum and other classes of employees who have also reached the maximum in their respective grades would start claiming similarly on the analogy of Hannan. Considering all the circumstances I hold that Hannan is not entitled to be promoted to a higher grade either on the basis of Ex. W3 or on the ground of length of service.

9. The last ground for claiming a higher grade is the "strenuous nature of the duties performed by him for the last 18 years". This ground appears in issue 1. I had elsewhere indicated that the statement of claims does not give any indication about the strenuous nature of duties performed. I would consider this aspect also because there purports to be evidence about it. It will be noticed that before he was transferred to Yellandu in 1963 Hannan was at Kothagudium. He was one of the three Sanitary Inspectors at Kothagudium. W.W.I. said that while at

Kothagudium he was doing inoculations and vaccinations to 4,000 to 6,000 people every year, that he was supervising the work of 400 to 500 sanitary mazdoors and scavengers and that he was deputing them to various jobs. Ex. M1 is a circular from the Company setting out duties of Sanitary Inspectors. W.W.1 admitted it to be so. As many as 17 items are set out in it. I need not repeat them here. It is enough to point out that starting in the early hours of the morning the sum total of the duties could be regarded as strenuous if attended to regularly and conscientiously. Item 17 is that Sanitary Inspectors must attend to all other duties (apart from those specified in Ex. M1) of sanitary importance as and when directed by the Health Officer. Such other duties would, as stated by M.W.1, be when epidemics break out and as also on the occasions of fairs, festivals and exhibitions. There would be a large concourse of people on such occasions. Therefore, special sanitary precautions will have to be taken. If these duties are to be called strenuous in the case of Hannan, so it should be said in the case of the other Sanitary Inspectors also. It may be that Hannan may have inoculated thousands of people. So would other Sanitary Inspectors when there is need for it, for instance, when epidemics break out. W.W.2 who is a Health Sub-Inspector of the Company at Kothagudium said that Hannan does not take orders from the Chief Sanitary Inspector, *viz.*, Seshagirirao. If the Sanitary Inspector is not taking orders from the Chief Sanitary Inspector, it would not follow that the former is equal in rank or grade to the latter and would therefore be entitled to the latter's grade. M.W.1 said that Sanitary Inspectors take their orders and instructions from the local Health Officers. Referring to the duties of the Chief Sanitary Inspector, *viz.*, Seshagirirao, M.W.1 said that he assists the Health Officer in administration and day to day work, and that he is also in charge of the anti-malarial work which, the witness said, is of a specialised nature. In the statement of claims it is pointed out that at Yellandu Hannan is the sole Sanitary Inspector and that there is no Assistant Sanitary Inspector there to assist him. There is a class of Assistant Sanitary Inspectors, but they need not be posted at every centre where there is only one Sanitary Inspector. M.W.1 said that an Assistant Sanitary Inspector was not posted at Yellandu to assist Hannan because it is a small area, the strength of the staff there being quite small, *viz.*, about 25. If however it is necessary, for an Assistant Sanitary Inspector to be posted at Yellandu to assist Hannan, the Health Department of the Company would know about it, and in any case Hannan can make out a case for one if he could.

10. Hannan filed some more documents in support of his case. Ex. W7, dated 11th July, 1958 is letter by which he was posted to duty at the Company's Guest House when the Rashtrapathi visited that place. There is nothing very special about such an assignment. A responsible Sanitary Inspector would naturally be put in charge of the sanitary arrangements at the Rashtrapathi's Camp. Ex. W8, dated 21st November 1960 is the revised posting order passed by the Health Officer Dr. Dass assigning duties to three Assistant Sanitary Inspectors and to three Sanitary Inspectors. Seshagirirao also is there, and he is described as Senior Sanitary Inspector. Duties are assigned to them as per Ex. W8. With regard to Hannan it is directed that he would be in charge of the general sanitation of the main bazaar and the bastis from the main bazaar to the Head Office including the hospital area. It is further directed that he would continue to attend muster roll call and allotment of duties. Similar duties are allotted to the others also as per Ex. W8. In respect of Seshagirirao it was directed that he will continue to be in charge of anti-malarial operations for Kothagudium, Ramavaram and Rudrumpur areas and that he would also be in charge of anti-malarial stores. In order to avoid overlapping of duties Dr. Dass was doing the right thing in issuing specific directions in that behalf. At that time Hannan was Sanitary Inspector at Kothagudium. I do not see how anything turns upon Ex. W8. Ex. W9, dated 7th November, 1962 is an application from Hannan addressed to the General Manager praying that he may be placed in the higher grade of Rs. 115—200. Attention is drawn in it to the confirmation letter Ex. W3, issued by the Chief Surgeon and Medical Officer. Ex. W10, dated 23rd December, 1963 is the order by which Hannan was transferred from Kothagudium to Yellandu. Ex. W11, dated 6th January, 1964 is letter from Chief Surgeon and Medical Officer to the Agent, Kothagudium, in respect of allotting a house to Hannan at Yellandu. Ex. W12, dated 30th October, 1961 is letter from the General Manager to the Senior Building Engineer suggesting that the premises of the stadium and the children's park nearby should be cleaned up so that the park may be as presentable as possible at the time of football match that was to take place on 7th November, 1961. The Senior Building Engineer had made this over to Hannan for compliance. Ex. W13 dated 9th November, 1961 is memo from the Health Officer to Hannan telling him that the General Manager may be visiting the quarters and the Hospital to inaugurate the Dhobi Ghat, and directing him to send a gang of male and female mazdoors to clean up the area so as to

give it a clean appearance. Ex. W14, dated 30th September, 1961 is letter from the Senior Deputy General Manager to the Health Officer, Kothagudium, suggesting that the cleaning up of the stadium grounds may be arranged in view of the forthcoming football tournament. The Health Officer entrusted this work to Hannan. Ex. W15, dated 8th March 1961 is notes of inspection of the G.S. and M.O. Item 11 therein is a suggestion to the Health Officer to obtain 20 to 30 cart loads of brush wood from the forest for the purpose of fencing at the Hospital. Hannan was entrusted with this work by the Health Officer. Ex. W16, dated 5th February, 1953 and Ex. W17, dated 20th August, 1960 are applications from Hannan to the C.S. and M.O. through the Health Officer praying for promotion to a higher grade. At the time of W16 he was in the old O.S. scale of Rs. 80—130. It is stated in it that Hannan reached the maximum in that scale on 1st June, 1952. Later, however, he was fitted in the scale of I.G. Rs. 70—158 on implementation of the Mazumdar Award. In both these applications reference is once again made to Ex. W3 which is the order of confirmation. Nothing turns upon any of these documents. Exs. W12 to W15 are instructions given to him from time to time. They could well be given to any other Sanitary Inspector.

11. My finding under Issue 1 is that the letter Ex. W3, dated 1st June, 1947 by which Hannan was confirmed does not contain a promise of giving him higher grade on his reaching the maximum of the grade in which he was. The duties he was performing as Sanitary Inspector for whatever length of period it may be were duties that should normally be performed by a Sanitary Inspector, although the sum total of those duties could be said to be strenuous. He is not eligible, and therefore is not entitled, to the grade of Senior Sanitary Inspector in the scale of Rs. 115—200. My finding under Issue 2 is that Hannan is not entitled to any relief in respect of the claim made by him.

Award passed accordingly.

Given under my hand and the seal of the Tribunal, this the 10th day of November, 1966.

(Sd.) M. NAJMUDDIN,  
Industrial Tribunal.

#### APPENDIX OF EVIDENCE

##### Witnesses examined for

##### Workmen:

W.W.1: Sri Abdul Hannan.

##### Employers:

M.W.1: Dr. J. N. Samaddar.

W.W.2: Sri Mohd. Abdul Baqui.

##### List of Documents Exhibited for Workmen

- Ex. W1: Sanitary Inspector's certificate issued by the Director of Public Health, Madras, dated 10th August, 1940.
- Ex. W2: Letter dated 19th February, 1947 by the General Manager of Singareni Collieries Co. Ltd., to Mr. Abdul Hannan, offering him the post of Health Inspector in the Collieries.
- Ex. W3: Confirmation letter dated 1st June, 1947 issued by the Chief Surgeon and M.O. to Mr. A. Hannan.
- Ex. W4: Petition dated 26th June, 1949 by Hannan to the Chief Surgeon and Medical Officer of Collieries, Kothagudium praying for the revision of scale of pay of the Health Inspector's post.
- Ex. W5: Letter dated 8th August, 1963 by Health Officer of the Collieries to the Chief Surgeon and Medical Officer, Kothagudium, recommending the revision of grade to Sri Abdul Hannan, Health Inspector.
- Ex. W6: Copy of letter dated 24th February, 1965 of the Health Officer, S.G. Coy. Ltd., addressed to the C.S. & M.O. recommending the revision of grade of Mr. Hannan, Health Inspector.
- W7: Indentification certificate dated 11th July, 1958 issued by the Health Officer of Collieries to Hannan to visit the guest house of the Company in connection with supply of food materials for the President's party.
- Ex. W8: Revised posting orders of Sanitary Inspectors and Asstt. Sanitary Inspectors for Kothagudium, Ramavaram and Rudrampur areas dated 21st November, 1960 issued by the Health Officer of S.G. Co. Ltd., Kothagudium.

Ex. W9 : Petition of Sri Hannan to the General Manager, S.C. Co. Ltd., Kothagudium, dated 7th November, 1962 praying for higher grade.

Ex. W10 : Transfer order of Sri Hannan, dated 23rd December, 1963 issued by the General Manager, S.C. Co. Ltd., Kothagudium, transferring him to Yellandu Collieries from Kothagudium.

Ex. W11 : Office order dated 6th January, 1964 issued by the Chief Surgeon and M.O. of Collieries, Kothagudium, permitting Mr. Hannan's family to stay at Kothagudium quarters till his children's examinations over.

Ex. W12 : Letter dated 30th October, 1961 by the General Manager, S.C. Co. Ltd., Kothagudium to the Senior Building Engineer S.C. Co. Ltd., Kothagudium, regarding the painting of gate and white washing the inside the building of Children's Park near the stadium.

Ex. W13 : Letter of Health Officer of Collieries at Kothagudium to Mr. Hannan in connection with the visit of the General Manager.

Ex. W14 : Letter dated 30th September, 1961 by the Dy. General Manager, Kothagudium, to the Health Officer asking him to get the stadium cleaned on the eve of tournaments.

Ex. W15 : Tour Notes of Chief Surgeon and Medical Officer, dated 8th March 1961.

Ex. W16 : Petition dated 5th February, 1953 by Hannan to the C.S. & M.O. of the Collieries through proper channel for promotion to the next grade.

Ex. W17 : Petition dated 25th August, 1960 by Hannan to the C.S. & M.O. of Collieries praying to place him in the next higher grade.

*Documents Exhibited for Employers:*

Ex. M1 : Order enumerating the duties of Sanitary Inspectors issued by the Health Officer of Collieries, dated 25th April, 1953.

Ex. M2 : Letter of President of S.C. Workers' Union to the Labour Inspector and Conciliation Officer (C) Kothagudium, dated 14th May, 1965 regarding the grant of grade of Rs. 115—10—185—15—200 to Mr. Hannan.

Ex. M3 : Wage Schedule of Singareni Collieries Co. Ltd.

Ex. M4 : Memo. of Settlement dated 4th May, 1965 arrived between the A.P.C. Mazdoor Sangh and the Management regarding the demand for promotion of Asstt. Sanitary Inspectors.

Ex. M5 : Letter dated 11th August, 1965 by the Under Secretary of Labour Employment Dept., New Delhi, to the Management of Collieries and the President of Singareni Collieries Workers' Union regarding the grant of grade of Rs. 115—200 to Sri Hannan.

(Sd.) M. NAJMUDDIN,  
Industrial Tribunal.  
[No. 7/16/65-LRII.]

**ORDERS**

*New Delhi, the 1st December 1966*

**S.O. 3779.**—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the Khas Dharmaband Colliery of Messrs Khas Dharmaband Colliery Company, (Private) Limited, post office Malkera, District Dhanbad, and their workmen in respect of the matters specified in the Schedule hereto annexed;

And whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Industrial Tribunal, Dhanbad, constituted under section 7A of the said Act.

**SCHEDULE**

I. Whether the action of the management of the Khas Dharmaband Colliery of Messrs Khas Dharmaband Colliery Company (Private) Limited in refusing to treat the workmen, whose names and designations are given in the annexure, as permanent workmen, and thereby denying them the privileges available to permanent workmen of the colliery, was justified? If not, to what relief are the workmen entitled?

## ANNEXURE

Serial No. 1	Name	Designation
1	Shri Musafir Singh	Line Mazdoor
2	Shri Dasai Singh	Trammer
3	Shri Rampati Singh	Drilling
4	Shri Kirishan Bahadur	Night Guard
5	Shri T.S. Row	Tub Checker
6	Shri Binor Kumar	Do.
7	Shri Mukta Sirkar	Lamp Mazdoor
8	Shri Birjanandan Singh	Trammer
9	Shri Bisto Mahato	Line Mazdoor
10	Shri Karamchand Rewani	Timber Mazdoor
11	Shri Rameshwar Singh	Tub Checker
12	Shri Bhagirath Rajak	Lamp Mazdoor
13	Shri Ramain Gope	Body Searcher
14	Shri Ganpat Sah	Bailing Mazdoor
15	Shri Ramsaran Singh	Trammer
16	Shri Rambilash Mali	Do.
17	Shri Tilak Rewani	Tubloading Mazdoor
18	Shri Mahadeo Dusadh	Trammer
19	Shri Rameshwar Mahato	C.C.M. Helper
20	Shri Durjodhan Rewani	Line Mazdoor
21	Shri Rambilash Singh	Trammer
22	Shri Sarju Singh	C.C.M. Helper
23	Shri Suresh Ram	Dusting Mazdoor
24	Shri K. P. Mitra	Camp Lamp Repairer
25	Shri Upendar Rewani	Lamp Mazdoor
26	Shri Alkha Rajbhar	Dusting Mazdoor
27	Shri Jamu Mahato	Tub unloading Mazdoor
28	Shri Ram Singhasan Singh	C.C.M. Helper
29	Shri Jogindar Modak	Pump Khalasi
30	Shri Chotu Mahato	Drilling
31	Shri Ram Tunak Singh	Trammer
32	Shri Ch. Bhuban Rewani	Do.
33	Shri Dhirja Mahato	Tub Unloading Mazdoor
34	Shri Ramu Mahato	Onseter
35	Shri Tarachand Rewani	Drilling
36	Shri Jiban Mahato	Pump Khalasi
37	Shri Manu Rewani	Dusting Mazdoor

Serial No.	Name	Designation
38	Shri Hardeo Singh	Dusting Mazdoor
39	Shri Hazari Mahato	General Mazdoor
40	Shri Gopi Gope	"
41	Shri Gopichand Yadav	"
42	Shri Meghu Mahato	"
43	Shri Judopado Rewani	"
44	Shri Akhtar Mian	"
45	Shri Mahabir Rewani	"
46	Shri Rameshwar Mahato	"
47	Shri Shana Pandit	"
48	Shri Muneshwar	"
49	Shri Kalamath Gope	"
50	Shri Bikarma Gope	"
51	Shri Anirka Singh	"
52	Shri Ramphal Mohali	"
53	Shri Ram Awadhesh Singh	"
54	Shri Dibnarain Yadav	"
55	Srimati Bifiya Chamain	Kamin
56	Srimati Keshiya Chamain	"
57	„ Bhagiya „	"
58	„ Tukri „	"
59	„ Panwa Bhuiani	"
60	„ Sibiya „	"
61	„ Dashni „	"
62	„ Binda Kamarin	"
63	„ Mundri „	"
64	„ Santi Rewanin	"
65	„ Panwa Harin	"
66	„ Kuni „	"
67	„ Beluna „	"
68	„ Sugiya Mahatwain	"
69	„ Lagni „	"
70	„ Lilmani Rewanin	"
71	„ Wabi Majhian	"
72	„ Hazra Bibi	"
73	„ Samli Mahatwain	"
74	„ Faguni „	"
75	„ Saroni Rewanin	"
76	„ Kanni „	"

Serial No.	Name	Designation
77	Stimati Bijli	Kamin
78	,, Balmani	„
79	,, Upasi Mahatwain	„
80	,, Jamuna Napitain	„
81	Shri Chhotan Bhuiyan	General Mazdoor
82	Shri Nageshwar Bhuiyan	„

II. Whether the action of the management of the said colliery in stopping the privilege, with effect from the 1st January, 1966, of providing conveyance free of charge or paying conveyance charges in lieu thereof for transporting the dependants of the workmen of the said colliery from the colliery premises to the regional or central hospital of the Coal Mines Welfare Organisation, Dhanbad and back for treatment, as and when advised by the medical officer of the management was justified? If not, to what relief are the workmen entitled?

[No. 1/12/66-LRII.]

**S.O. 3780.**—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the Dutta's Central Kajora Colliery, Post Office Kajoragram, District Burdwan and their workmen in respect of the matters specified in the Schedule hereto annexed;

And whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Industrial Tribunal, No. 2, Calcutta, constituted under section 7A of the said Act.

#### SCHEDULE

Whether the management of Dutta's Central Kajora Colliery were justified in dismissing Shri Budhiram Harijan, Dresser, with effect from the 3rd June, 1966? If not, to what relief is the workman entitled?

[No. 6/94/66-LRII.]

BALWANT SINGH, Under Secy.

#### (Department of Labour and Employment)

New Delhi, the 26th November 1966

**S.O. 3781.**—The following draft of a notification, which the Central Government proposes to make, in exercise of the powers conferred by sub-section (2) of section 26 of the Minimum Wages Act, 1948 (11 of 1948), is hereby published for the information of all persons likely to be affected thereby and notice is hereby given that the said draft will be taken into consideration on or after the 15th January 1967.

Any objections or suggestions which may be received from any person in respect of the said draft before the date so specified will be considered by the Central Government.

#### Draft Notification

In exercise of the powers conferred by sub-section (2) of section 26 of the Minimum Wages Act, 1948 (11 of 1948), the Central Government hereby directs that, for a period of five years from the date of publication of this notification, the provisions of sub-section (1) of section 18 of the said Act, in so far as it requires a register of wages to be maintained in the prescribed form, namely, Form X of the Minimum Wages (Central) Rules, 1950, shall not apply in relation to the monthly rated employees of Military Dairy Farms for whom minimum rates of wages have been fixed under the said Act, subject to the condition that particulars of such employees shall be maintained in Form I.A.F. (Farms)—18 which is set out in the Schedule to this notification and which shall be deemed to be the register of wages in Form X aforesaid for the purpose of the Minimum Wages Act, 1948 (11 of 1948) and the Minimum Wages (Central) Rules, 1950.

SCH. II

## Wages Book for the

Sl. No.	Name of em- ployee with father's name, if illiterate	Designation	Rate of pay	Casual leave taken up to end of pre- vious month	Dates					Total days
					1	2	3	4	to 31	

## DULB

Month of—19

I.A.F. (Farms)—18

Casual During	leave taken Upto end the month of month	Amount due	Deduction	Amount paid	Dated initials of DAD OIC Manager	Remarks & signature or thumb impression of payee

[No. LWI-I-5(6)/63.]  
O. P. TALWAR, Under Secy.

## (Department of Labour and Employment)

New Delhi, the 2nd December 1966

S.O. 3782.—In exercise of the powers conferred by sub-section (1) of section 4 of the Dock Workers (Regulation of Employment) Act, 1948 (9 of 1948), the Central Government hereby makes the following further amendment to the Vizagapatam Dock Workers (Regulation of Employment) Scheme, 1959, the same having been previously published as required by the said sub-section, namely:—

1. This Scheme may be called the Vizagapatam Dock Workers (Regulation of Employment) Amendment Scheme, 1966.

2. In clause 15 of the Vizagapatam Dock Workers (Regulation of Employment) Scheme, 1959 (hereinafter referred to as the said Scheme), in sub-clause (2), after item (g), the following items shall be inserted namely:—

“(h) Stitcher-Mazdoor

(i) Stitcher-Mastry.”

3. In Schedule I to the said Scheme, after item (g), the following items shall be inserted, namely:—

“(h) Stitcher-Mazdoor

(i) Stitcher-Mastry.”

[No. 626/6/66-Fac.]

R. C. SAKSENA, Under Secy.

## (Department of Labour and Employment)

New Delhi, the 2nd December 1966

S.O. 3783.—In exercise of the powers conferred by section 4 of the Mica Mines Labour Welfare Fund Act, 1948 (22 of 1948), read with sub-rule (1) of rule 3 of the Mica Mines Labour Welfare Fund Rules, 1948, and in supersession of the notification of the Government of India in the late Ministry of Labour and Employment No. S.O. 2721 dated the 21st August, 1962, the Central Government hereby re-constitutes the Advisory Committee for the State of Bihar so as to consist of the following members, namely:—

1. The Welfare Commissioner, Mica Mines Labour Welfare Fund—Chairman

2. The Mica Controller, Bihar.

3. Regional Labour Commissioner, Dhanbad.

4. Shri Awadh Bihar Dikshit

Member, Bihar Legislative Assembly.

5. Shri R. G. Agarwala, Chrestian Mica Industries Ltd.,

P.O. Domchanch, Hazaribagh.

6. Shri Basudeo Chariwala, Goenka Co. Ltd. Girdih.

To represent the mica mine owners of Bihar.

7. Shri S. P. Bhadani, Chotturam, Horll Ram, Private Ltd., P.O. Jhumritalaiya, Distt. Hazaribagh.

8. Shri Surya Narain Sinha, Mica Labour Union, Distt. Hazaribagh.

9. Shri Harish Chandra Mishra, Abrak Mazdoor Union, Distt. Hazaribagh.

To represent the workmen employed in the mica mines of Bihar.

10. Shri Yash Raj Singh, Abrakh Mazdoor Panchayat Distt. Hazaribagh.

11. Shrimati Urmila Devi, C/o Congress Committee, Hazaribagh.

Woman representative.

The Mica Controller, Bihar, shall be the Vice-Chairman of the Advisory Committee.

[No. 26(6)65-MIII.]

K. D. HAJELA, Under Secy.

(Department of Rehabilitation)  
(Office of the Chief Settlement Commissioner)

New Delhi, the 26th November 1966

**S.O. 3784.**—In exercise of the powers conferred by Clause (a) of Sub-section (2) of Section 16 of the Displaced Persons (Compensation & Rehabilitation) Act, 1954 (44 of 1954) the Central Government hereby appoints for the State of Uttar Pradesh Shri B. M. Lall, Assistant Settlement Officer in the office of Assistant Settlement Commissioner, Incharge, U.P., Lucknow as Managing Officer for the custody, management and disposal of compensation pool with effect from the date he took over charge of his office.

[No. 8/235/ARG/62.]

New Delhi, the 1st December 1966

**S.O. 3785.**—In exercise of the powers conferred by sub-section (1) of Section 3 of the Displaced Persons (Compensation & Rehabilitation) Act, 1954 (44 of 1954), the Central Government hereby appoints Shri G. S. Bindra, PCS, Settlement Officer (Sales) in the Rehabilitation Department of the Haryana State, so long as he holds that post, to be an Assistant Settlement Commissioner in the State of Haryana for the purpose of performing, in addition to his own duties as Settlement Officer (Sales), the functions assigned to an Assistant Settlement Commissioner by or under the said Act in respect of (i) agricultural lands and shops in any rural area including houses, cattlesheds and vacant sites forming part of the compensation pool; and (ii) the properties referred to in the notification of the Government of India in the Ministry of Works, Housing and Rehabilitation (Department of Rehabilitation) No. 3(37)/L&R-63A, dated 5th March, 1964.

[No. 3(20)/L&R/66.]

**S.O. 3786.**—In exercise of the powers referred by sub-section (1) of Section 3 of the Displaced Persons (Compensation & Rehabilitation) Act, 1954 (44 of 1954), the Central Government hereby appoints the Under Secretary in the Rehabilitation Department of the Haryana State as Settlement Commissioner in the State of Haryana for the purpose of performing, in addition to his own duties as Under Secretary (Reh.), the functions assigned to Settlement Commissioner by or under the said Act in respect of (i) agricultural lands and shops in any rural area including houses, cattlesheds and vacant sites forming part of the compensation pool; and (ii) the properties referred to in the notification of the Government of India in the Ministry of Works, Housing and Rehabilitation (Dept. of Rehabilitation) No. 3(37)/L&R-63A, dated 5th March, 1964.

[No. 3(20)/L&R/66.]

**S.O. 3787.**—In exercise of the powers conferred by sub-section (1) of Section 6 of the Administration of Evacuee Property Act, 1950 (XXXI of 1950), the Central Government hereby appoints for the state of Haryana Shri J. M. Tandon, Regional Settlement Commissioner, Jullundur, as Custodian for the purpose of discharging the duties imposed on Custodian by or under the said Act with effect from the forenoon of 1st November, 1966.

[No. 5(2)/AGZ/66.]

A. G. VASWANI,  
Settlement Commissioner (A) and Ex-Officio Under Secy.

(Department of Rehabilitation)  
(Office of the Chief Settlement Commissioner)

New Delhi, the 2nd December 1966

**S.O. 3788.**—In exercise of the powers conferred on the Chief Settlement Commissioner by Section 34(2) of the Displaced Persons (Compensation & Rehabilitation) Act, 1954 (44 of 1954), he hereby delegates to the Under Secretary in the Rehabilitation Department of the Haryana State exercising the powers of Settlement Commissioner, his powers under Sections 23, 24 and 28 of the said Act for the purpose of passing necessary orders under these Sections in respect of (i) agricultural lands and shops in any rural area including houses, cattlesheds and vacant sites forming part of the compensation pool; and (ii) the properties referred to in the notification of the Government of India in the Ministry of Works, Housing and Rehabilitation (Dept. of Rehabilitation) No. 3(37)/L&R-63A dated 5th March 64.

[No. 3(20)/L&R/66.]

G. D. KSHETRAPAL,  
Chief Settlement Commissioner.

